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ABSTRACT

This bibliography provides a survey of the literature dealing with labor negotiations and nonteaching professionals in higher education. Documents are categorized according to administration, affirmative action, agents, arbitration, arbitration awards, arbitration/fact-finding awards, arbitration procedures, collective bargaining, collective bargaining (students), contracts, court cases, fringe benefits, mediation, mergers, National Labor Relations Board decisions, PERB decisions, public sector labor relations, salaries, strikes, student employment, and unions. (MJM)

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HIGHER EDUCATION COLLECTIVE BARGAINING: OTHER THAN FACULTY PERSONNEL

Volume 1 December, 1974

Compiled by
John C. Allen and Daniel J. Julius

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TABLE OF CONTENTS

	Pages
Preface	i-ii
Author - Person Index	a
Keyword - Subject Index	ki-kxix
Administration	1
Affirmative Action - See Bibl. 1 and 2 - Collective Bargaining in Higher Education - 1971-73 and 1974	
Agents	1
Arbitration	1
Arbitration Awards (Alphabetical by State)	1-17
Arbitration/Fact-Finding Awards (Alphabetical by State)	17-18
Arbitration Procedures - Related References - See Bibl. 1 and 2	
Collective Bargaining	18
Collective Bargaining (Students)	18
Contracts	18-19
Court Cases (Alphabetical by State)	19-25
Fringe Benefits	25
Mediation	25
Mergers	25
NLRB Decisions (Alphabetical by State)	25-33
PERB Decisions (Alphabetical by State)	34-44
Public Sector Labor Relations	44
Salaries	44-45
Strikes	45-46
Student Employment	46
Unions	46
Abbreviations	47-48
Bibliographic Sources	49
Publication Subscriptions to the National Center	50
National Center Services:	
Photocopying	51
Reference Service	51
Computer System	51
Subscription Membership to the Center	52
Librarian Computer Search	53

PREFACE

Institutions of higher education are presently witnessing the rapid expansion of faculty unionism. While many in academe predict that collective bargaining will have a substantial impact on American institutions of higher learning, there are few organizations (like the National Center) which are devoted to an objective exploration of the Union phenomenon.

This bibliography provides the first comprehensive survey of the literature dealing with labor negotiations and non-teaching professionals in higher education. It is the third extensive bibliography related to collective bargaining in higher education published by the National Center. (Bibliographies #1 and #2 concern faculty in colleges and universities.)

This compilation includes references to NLRB and Court Rulings, PERB Decisions, Arbitration Awards, etc. Special features of this bibliography are an Author-Person Index and a Keyword-Subject Index both of which provide an indispensable cross-reference to the user. Included among the references are books, journal and newsletter articles, unpublished speeches, and citations from the Government Employee Relations Report (GERR), and Labor Relations Reference Manuals (LRRM, LRR).

Information dealing with the Center's publications, services, and faculty contract file and computer system is incorporated at the end of the bibliography.

Additions and corrections to this bibliography will be appreciated. The Center solicits copies of published and unpublished speeches and reports to be included in future bibliographies, or for publication in the Center's Newsletter. We would welcome reprints

all appropriate articles, briefs in representative unfair labor practices, arbitration cases, arbitration/fact-finding awards, court cases, NLRB and PERB Decisions.

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AUTHOR-PERSON INDEX

Numbers refer to specific references. References not included in this bibliography, but covered in the Center's other bibliographies, Collective Bargaining in Higher Education, 1971-73, 1974 (Volume 2) and Volume 3 to be published in April 1975, include references to state and federal legislation, pensions, affirmative action, arbitration procedures, etc.

Amore, John 13

Bernstein, J. 4

Catherwood 126

Hodgson (Sec. of Labor)

Court Cases 122
129-30
133
135-7

Kover, A. M. 4

Love 134

Mayes, Kent H. 94

Murphy, Claude 147

Semas, P. W. 236

Sigall, H. M. 131

Weaver, John C. 94

Young, Marie 88

KEYWORD SUBJECT INDEX

Numbers refer to specific references. References not included in this bibliography, but covered in the Center's other bibliographies, Collective Bargaining in Higher Education, 1971-73, 1974 (Volume 2) and Volume 3 to be published in April 1975, include references to state and federal legislation, pensions, affirmative action, arbitration procedures, etc.

Absence
- Arbitration Awards 16,23,48
- Excused to vote 16
- Unexcused 48

Administration 1

Advancement
- See Promotion

Advertisement
- False job bids 19

Aetna Cleaning Contractors 131

Affirmative Action
- See Keyword Indexes, Bibl. 1 and 2 - College Bargaining in Higher Education - 1971-73, 1974

AFGE
- Contract at Air Force Academy 108

AFSCME
- Arbitration Awards 14, 17-22, 24 26-27, 34-39, 42-55, 57-59, 67-82, 91-93.
- Contracts 226
- Cost-of-Living 227
- Fact-Finding Awards 97-99
- Mandatory Subjects of C.B. 109
- Merger 140
- NLB Decisions 149, 151, 167
- PERB Decisions 177, 181-2, 185-8, 214-216

AFT
- See American Federation of Teachers

Agency Shop, Lack of Dues Payment
- Arbitration Awards 42

Agents
- See also No Agent Vote
- U. of Minnesota 2

Alabama
- NLRB Decisions 141
- Tuskegee Institute 141

Albert Einstein College of Medicine
- See Yeshiva University

Allegations, Access to
- Court Cast 137

American Federation of Teachers
- PERB Decisions 204

American Physical Therapy Assoc.
- See Medical Center Unions
- PERB Decisions 191

Apology Statement
- Arbitration Awards 24

Arbitrability
- Arbitration Awards 8, 86

Arbitration
- See also Bibl. 2 - Coll. Barg. in Higher Education 1974, pp. 7-8
- Binding 3
- Ohio 3
- Youngstown State U. 3

Arbitration Awards - Colleges
- Ball State U. 26-7
- Billings Hospital (U of Chicago) 24
- Boston College 28
- Boston University 29
- Central Mich. U. 34-6
- Central State U. 67
- Columbia U. 56
- CUNY 57-9
- Drexel U. 84
- Ferris State Coll. 37-8
- FordhamU. 60-1
- Genesee Comm. Coll. 62
- Grand Valley State Coll. 3
- Hamilton Coll. 63
- Harvard U. 30
- Illinois Inst. Tech. 15-6
- Illinois St. Coll. & U. 17
- Illinois St. U. 19-22
- Kent State U. 68-73
- Leland Stanford Jr. U. 4
- Long Island U. (C.W. Post) 64
- Macomb County C.C. 40
- M.I.T. 31-2
- Mich. State U. 41-4
- Mount Mary Coll. 90
- Northampton County Area C.C. 85
- Northern Mich. U. 45-6

Arbitration Cont.
- Ohio State U. 79
- Ohio U. 74-8, 80-81
- Pennsylvania State U. 86
- Post, C.W., Coll.(L.I.U.) 54
- Queens U. (Canada) 7
- Roosevelt U. 23
- Suffolk County C.C. 65
- Temple U. 87
- U. of Calif. 5-6
- U. of Chicago 24-5
- U. of Cincinnati 82
- U. of Delaware 14
- U. of Michigan 47-51
- U. of Pennsylvania 88
- U. of Pittsburgh 89
- U. of Wisconsin 91-4
- Wayne State U. 52-4
- Western Mich. U. 55
- Wheaton Coll. 33
- Wilberforce U. 83
- Yale U. 8-13
- Yeshiva U. 66

Arbitration Awards - State
- California 4-6
- Canada 7
- Connecticut 8-13
- Delaware 14
- Illinois 15-25
- Indiana 26-27
- Massachusetts 28-33
- Michigan 34-55
- New York 56-66
- Ohio 67-83
- Pennsylvania 84-89
- Wisconsin 90-94

Arbitration Awards - Subject
- Absences 23,48
- Absences, Excused 16
- Agency Shop Contract 42
- Apology Statement 24
- Arbitrability 9, 86
- Arbitrator's Powers 29
- Back Pay 36, 38, 50, 72, 94
- Bargaining Unit 33, 63,66
- Bargaining Unit Disputes 89, 91
- Bulletin Boards 8, 70, 78, 79
- Campus Unrest 5, 32
- Class Action 18, 19
- Classification 77
- Community of Interest (unit deter.) 63
- Compensatory Time Off 57
- Contractual Obligation 56
- Course Work 59
- Court Case 126
- Disability 52
- Disability Leave 15
- Disability Pay 44
- Discharge 10, 12, 23, 24, 3[illegible], 45, 47, 51, 52, 74, 86, 87
- Disciplinary Action 41, 48, 62, 68, 83
- Discipline, Lack of Corrective 23
- Discrimination, Race 12, 24, 88
- Discrimination, Sex 54
- Discrimination, Political 12
- Disruptive Activities 5, 12
- Dress Code 50
- Dues Payment 42
- Educational Requirement 61
- Emergency Overtime 57
- Evaluation, see performance.
- Evidence, Lack of 69, 72
- Excused Absence 16
- Financial Exigency 28, 31, 43, 71, 80, 82, 94
- Food Service see Restaurant Emp.
- Funeral Leave 22
- Housing Allowance 90
- Insubordination 47, 62, 87
- Insurance Coverage 53
- Inter-Union Disputes 89, 91
- Job Duties 19
- Job Rebids 19
- Job Vacancy 70
- Jurisdiction 26, 66
- Lack of Prudent Judgement 41, 93
- Language, Disparaging 8
- Language, Vulgar 24
- Lay-Offs 4, 28, 43, 71, 80, 82, 9
- Leave of Absence 13, 45
- Leave, Terminal 58
- Life Insurance 53
- Lockout 84
- Longevity Pay for Disability 44
- Management Fiat 7, 40, 90
- Medical Centers 24, 56, 66
- Medical Statement 45, 48
- Non-Union Overtime 39
- Overtime 10, 17, 21, 29, 32, 39, 57, 72, 92
- Overtime, Refusal of 10, 35
- Parking 7
- Past Practice 40, 60
- Pay While at Hearing 20
- Performance Evaluation 73
- Personnel File 68, 73

K. 94

Arbitration Awards Cont.
- Picket Line 84
- Political Activity 12
- Posting Notice 8, 70, 75 78, 79
- Preferential Hiring 81
- Promotion 6, 14, 30, 34 38, 46, 61, 65, 74, 75, 76
- Promotion, Lack of Evidence 69
- Promotion, Probationary 61
- Promotion, Temporary 70
- Prudent Judgement, Lack of 41
- Punitive Damages 29
- Qualifications for Promotion 6, 14, 23, 30, 34, 61, 65, 76, 78, 81
- Race Discrimination 12, 24, 88
- Rehiring after Layoff 82
- Reinstatement 4, 25, 36, 52, 71, 74, 94
- Representation Disputes 61
- Reprimand, Letter of 68
- Restaurant Employees 67
- Retirement Program 53
- Retrenchment 4, 25, 45, 80, 82, 94
- Sabotage 23
- Salary Scale 61
- Salary, Freezing for over age 65 #60
- Salary Increase 54, 60
- Salary - see backpay, disability pay, longevity pay, overtime pay, pay, sick pay, vacation pay, wages
- Secretaries 61
- Security Guards 41, 63, 71
- Seniority 6, 14, 23, 30, 38, 46, 61, 65, 70, 71, 75, 78, 81
- Sex Discrimination 54
- Sick Leave 11, 40
- Sick Pay 11
- Staying of Awards (court case) 126
- Student Employment 21, 43, 80
- Terminal Leave 58
- Termination in Agency Shop Contract 42
- Theft 51, 86
- Time Limit 90
- Time Limit Arbitrability 55
- Time Limit for Med. State 45
- Timeliness 9, 50
- Time Span for Grievance 17
- Training 78
- Transfers, Involuntary 62, 88
- Transfers, Temporary 32, 37, 49
- Unilateral Fiat 7, 40, 90
- Union Consent 13
- Union Disputes 64
- Vacancy, Temporary Job 70
- Vacation Day 26
- Vacation Pay 49
- Voting, Time off 16
- Wages for Temp. Assign. 37, 49
- Witness, Regular Pay 20
- Work Assignment 19, 25, 37, 39, 57, 68
- Work Rule 93
- Work Schedules 27, 31
- Work Stoppage 35

Arbitration/Fact-Finding Awards - Colleg
- CUNY 98-9
- Lake Mich. Coll. 96
- Macomb County C.C. 97
- State Center C.C. 95

Arbitration/Fact-Finding Awards - State
- California 95
- Michigan 96-97
- New York 98-100

Arbitration/Fact-Finding Awards - Subjec
- Contract Terms, New 96
- Cost-of-Living 97
- Longevity 97
- New Contract Terms 96
- Overtime 99
- Salaries 95, 97, 99
- Service Increment 98
- Study Committees 95
- Transfer Policy 95

Arbitration Procedures (ings)
- See Natl. Center's Bibl. 2, Coll. Barg. in Higher Educ., 1974, pp 17-19
- NLRB Decision 156-7

Arbitrators' Powers
- Punitive Damages 20

Assignment, Work
- Arbitration Awards 25, 37, 39

Back-Pay
-Arbitration Awards 36, 38, 50, 72, 94
Ball State University
- Arbitration Awards 26, 27
Bargaining Unit
- Arbitration Awards 33, 63, 66, 89, 91
- Certification 179-80, 182-3, 185, 187, 190, 192, 210-11, 217, 221-2
- Court Cases 113, 132
- Decertification 188
- Disputes 89, 91
- NLRB Decisions 141, 143-5, 150-4, 168-70, 172, 175
- No Agent Vote 212
- PERB Decisions 177-8, 181, 186, 189-91, 193-4, 196-8, 200-4, 206-9, 213, 215, 218-9, 224
- Students 209
- Students (Interns) 118-21, 132, 198, 213
- Students Not in 21, 43, 80, 103, 163-4, 166, 184, 189, 194
Bargaining Unit Inappropriate
- NLRB Decisions 142-3, 145, 148, 160-1, 163-4, 167-8, 174
- PERB Decisions 184, 189, 194-5, 199, 202-3, 214, 219, 223
Barnard College
- Court Cases 124
- NLRB Decisions 163-4
Bemedji State College
- PERB Decisions 185
Benevolent Order of Guides in Extremes
- PERB Decisions 184
Berklee College of Music, Inc.
- NLRB Decisions 154
Bids for Printing
- Court Case 110
Billings Hospital (U. of Chicago)
- Arbitration Awards 24
- Binding Arbitration
- See Arbitration - Binding
Boston College
- Arbitration Awards 28
- NLRB Decisions 155
Boston University
- Arbitration Awards 29
- NLRB Decisons 156-7
Bowdoin College
- NLRB Decisions 153
Brotherhood of Painters, Decorators & Paperhangers of America
- PERB Decisions 195-6
B S E U (BSEIU)
- See SEIU
Building and Construction Trades Council of Greater N.Y.
- PERB Decisions 200
- See also 193, 202
Building Service Employees (International) Union
- See SEIU
Building Trades Council 200, 202
- PERB Decisions 193
Bulletin Boards, Posting Notice on
- Arbitration Awards, 8, 70, 75, 78, 79
Cafeteria Workers Union
- See also Cooks and Pastry Cooks Association
- See also Hotel, Motel ...
- PERB Decisions 202
- See Restaurant Employees
California
- Arbitraton Awards 4-6
- Calif. College of Podiatry Medicine 142
- California Inst. of Tech. 143
- Claremont Colleges 144
- Fact-Finding Awards 95
- Leland Stanford Jr. U. 4, 145
- NLRB Decisions 142-6
- State Center Comm. College 95
- U. of California 5-6
- U. of The Pacific 146
California Coll. of Podiatry Medicine
- NLRB Decisions 142
California Inst. of Tech.
- NLRB Decisions 143
California School Employees Assoc.
- NLRB Decisions 145
California State Employees Assn.
- Arbitration Awards 6
Campus Unrest
- Arbitration Awards 532
- See Disruptive Activities
Canada
- Arbitration Awards 7
- Queens U. 7
Central Michigan University
- Arbitration Awards 34-6
Central State University
- Arbitration Awards 67
Certification of Barg. Unit
- PERB Decisions 179-80, 182-3, 185, 187, 190, 192, 210-11, 217, 221-2

Certification of Barg. Unit Cont.
- See also Bargaining Unit Decertification
Certified Employee Council (California)
- Fact-Finding Awards 95
Charles Stewart Mott Comm. Coll.
- PERB Decisions 180
City Coll. of Chicago
- Court Cases 110
City Univ. of N.Y.
- See CUNY
Civil Rights Commission
- Colorado 109
- Court Cases 109
Civil Service Employees Assoc.
- See CSEA
Claremont Colleges
- NLRB Decisions 144
Class Action Suits
- Arbitration Awards 18, 19
- Court Case 125
Classification of Employees
- Arbitration Awards 77
CLC
- See Cost-of-Living Council
Colgate University
- SLRB Decisions 189
Collective Bargaining
-Legislation Court Cases 111-2, 114-5, 118-21
- Mandatory Subjects of 102
College of Physicians & Surgeons (Columbia U.)
- SLRB Decisions 192
Colorado
- Contracts 108
- Court Cases 109
- Strikes 103
- U.S. Air Force Acad. 108
- U. of Colorado 103, 109
Columbia University
- Arbitration Awards 56
- Court Cases 125
- NLRB Decisions 165
- SLRB Decisions 190-2
- Strikes 231, 236
Committee of Interns & Residents of N.Y.C.
- See Medical Center Unions
- PERB Decisions 213
Community of Interest (in Barg. Unit)
- Arbitration Awards 63
Compensation
- See Salary
Compensatory Time Off
- Arbitration Awards 57
Connecticut
- Arbitration Awards 8-13
- Yale U. 8-13
Contract Terms, New
- Fact-Finding Award 96
Contracts 104-108, 226-7, 230,241
- Kansas U. 105
- Library Employees 104
- Ohio State U. 106
- Syracuse U. 104
- Toledo U. 107
- U.S. Air Force Academy 108
- U. of Delaware 241
Contractual Obligation, Charge of
- Arbitration Awards 56
Cooks and Pastry Cooks Assoc.
- See also Cafeteria Workers
- See also Hotel, Motel ...
- NLRB Decisions 158
- See Restaurant Employees
Cornell University
- NLRB Decisions 166
- SLRB Decisions 193
Cost-of-Living 227
- Fact-Finding Award 97
Cost-of-Living Council
- Salary Rollback 228
Course Work
- Arbitration Awards 59
Court Cases - Colleges
- Barnard Coll. 124
- City Coll. Chicago 110
- Columbia U. 125
- Duke U. 129-30
- Eastern Mich. U. 114-5
- Einstein Med. Center 132
- Grove City Coll. 133
- Iowa State U. 111-2
- Kent State U. 131
- Long Island Coll. Hospital 126-
- Meharry Med. Coll. 136
- Mich. State U. 116-7
- Temple U. 132, 134
- University Hospital 113
- U. of Colorado 109
- U. of Mich. 118-21
- U. of Nevada 123
- U. of Wisconsin 137
- Waynesburg Coll. 135

Court Cases - State
- Colorado 109
- Illinois 110
- Iowa 111, 112
- Massachusetts 113
- Michigan 114-121
- Montana 122
- Nevada 123
- New York 124-128
- North Carolina 129-30
- Ohio 131
- Pennsylvania 132-135
- Tennessee 136
- Wisconsin 137

Court Cases - Subject
- Allegations, Access to 137
- Arbitration, Staying of 126
- Bargaining Unit 113, 132
- Bids for Printing 110
- Class Action Suits 125
- C.B. Legislation 111-12, 114-15, 118-21
- Discrimination, Class Action 125
- Discrimination, Sex 109, 122, 133-4, 136-7
- Election Protest 117
- Employee Eligibility 117, 118-21, 132
- Financial Exigency 123, 131
- Injunctive Relief 124
- Interns 118-21, 132
- Jurisdiction of Courts, Re PERB's see PERB below
- Lay-off 123, 131
- Legislation, Re C.B. 111-2, 114-5, 118-21
- No Strike Clause 124
- Overtime 135
- Overtime Salary 129-30
- PERB Decisions 113-121, 126-8, 132
- Picketing 112, 124
- Post Doctoral Students 118-21, 132
- Public Employer 111-2, 114-5, 118-9, 121, 132
- Residents 118-21, 132
- Retrenchment 123, 131
- Salary Inequity 122, 133-4, 136-7
- Salary, Minimum 129-30
- Salary, Overtime 129-30
- Sex Discrimination 109, 122, 133-4, 136-7
- Student (Interns, etc.) 118-21, 132
- Timeliness 125
- Union Cert. by Court 116, 126-8
- Violations, Access to Infor. on 137

CSEA
- Arbitration Awards 65
- Contracts 106-7
- PERB Decisions 209-211

CUNY
- Arbitration Awards 57-59
- Fact-Finding Awards 98-99

Dayton Public Service Union
- Arbitration Awards 83

Decertification of Barg. Unit
- PERB Decision 188

Decorators
- See Brotherhood of painters ...

Delaware
- Arbitration Awards 14
- Strikes 241
- U. of Delaware 14, 241

Direction of Election
- See Elections

Disability
- Arbitration Awards 44, 52
- Leave 15
- Pay 44

Discharge
- Arbitration Awards 10, 12, 23, 24, 36, 45, 47, 51, 52, 74, 86, 87
- NLRB Decisions 147, 162

Disciplinary Action
- Arbitration Awards 23, 41, 48, 62, 68, 83
- Lack of 23

Discrimination
- See Bibl. 1 and 2, Coll. Barg. in Higer Educ., 1971-73, and 1974.

Discrimination, Class Action Suits
- Arbitration Awards 18, 19
- Court Cases 125

Discrimination, Race
- Arbitration Awards 12, 24, 88

Discrimination, Sex
- Arbitration Awards 54
- Court Cases 109, 122, 133-4, 136-7

Disruptive Activities
- Arbitration Awards 5, 12
- See Campus Unrest
- See Sabotage

Distributive Workers of American
- NLRB Decisions 163-4, 173
- PERB Decisions 204-5
District 1 Tech. Inst. (Wisc.) (Eau Claire)
- PERB Decisions 224
Dress Code
- Arbitration Awards 50
Drexel University
- Arbitration Awards 84
Drug and Hospital Employees Union
- Arbitration Awards 56, 66
- See also Medical Centers Union
- PERB Decisions 190-2,197,201-2
Dues Checkoff (Contract)
- Kansas U. 105
Dues Payment, Lack of in Agency Shop
- Arbitration Awards 42
Duke University
- Court Cases 129-30
- NLRB Decisions 167-8
Duquesne University
- NLRB Decisions 171-2
DWA
- See Distributive Workers of America
Eastern Michigan University
- Court Cases 114-5
- PERB Decisions 181
Eau Claire Technical Institute
- PERB Decisions 224
Educational Requirement
- Arbitration Awards 61
Einstein (Albert) Coll. of Medicine (NY)
- See Yeshiva U.
Einstein Medical Center (Penn.)
- Court Cases 132
Elections
- Agents 2
- Court Case Protest 117
- NLRB Decisions 141, 143, 145-6, 150-2, 154, 166, 168-70, 172, 175
- See also No Agent Vote
- PERB Decisions 178, 181, 186, 189, 191, 193-4, 196-8, 200-1, 204, 206-9, 213, 215, 219
Electrical Workers
- See International Brotherhood of Electrical Workers
Emergency Overtime
- Arbitration Awards 57
Employee Eligibility
- Court Cases 117-21, 132
Employment
- Arbitration Awards 6, 14
- Promotion 14
Engineers
- See International Union of Operating Engineers
Evaluation
- See Performance Eval.
Evidence, Lack of
- Arbitration Awards 69, 72
Exclusion from Bargaining Unit
- See Barg. Unit Inappropriate
Experience for Promotion
- See Qualifications for ...
Fact-Finding Awards
- See Arbitration/Fact-Finding ...
Faculty Student Assoc. (SUNY)
- PERB Decisions 209
Federation of Teachers - Maintenance Employees
- Fact-Finding Awards 96
Federation of University Employees (Yale U.)
- Arbitration Awards 8-13
Ferris State College
- Arbitration Awards 37-8
Financial Exigency
- Arbitration Awards 4, 28, 31 71, 80, 82, 94
- Court Cases 123, 131
- See also Layoffs
- See also Retrenchment
Firefighters
- See International Assoc. of ...
Firing
- See Discharge
Food Service Employees
- See Restaurant Employees
Fordham University
- Arbitration Awards 60, 61
Fort Hays State Coll.
- PERB Decisions 178
Fraternal Order of Police
- Arbitration Awards 41
- See Security Guards
Freezing Salary for Over Age 65
- Arbitration Awards 60
Freight Checkers, Clerical Employees & Helpers Union
- NLRB Decisions 145
Fringe Benefits
- Merit System 138

Funeral Leave
- Arbitration Awards 22
Garland Junior College
- NLRB Decisions 158
Genesee Comm. College
- Arbitration Awards 62
George Washington University
- NLRB Decisions 174-5
Georgetown Coll. (Kentucky)
- NLRB Decision 151
Grand Valley State College
- Arbitration Awards 39
Grievances
- See Arbitration Awards
Grove City College
- Court Cases 133
Guards
- See Security Guards

Hamilton College
- Arbitration Awards 63
- SLRB Decisions 194
Harvard University
- Arbitration Awards 30
Hawaii
- PERB Decisions 177
- U. of Hawaii 177, 229
Hawaii Government Employees Assoc.
- See HGEA
Heating & Maintenance Workers Union
- Arbitration Awards 7
HGEA (Hawaii Govt. Emp. Assoc.)
- PERB Decisions 177
Holidays
- Student Employment on 21
Hospital Employees
- See Drug and ...
- See Medical Center Unions
- See National Union of ...
Hospital & Institutional Workers Union
- See also Medical Centers Unions
- NLRB Decisions 142
Hospital & United Plant Guard Workers
- See Medical Center Unions
- PERB Decisions 222
- See Security Guards
Hotel, Motel and Restaurant and Bartenders Union
- See also Cafeteria Workers
- See Also Cooks & Pastry Cooks
- PERB Decisions 206, 208
- See Restaurant Employees

Hours, Work
- Arbitration Awards 27,31
House Staff Assoc. of Long Island College Hospital
- See Medical Center Unions
- PERB Decisions 198
Housing Allowance
- Arbitration Awards 90
Howard University
- NLRB Decisions 176
IBEW
- NLRB Decisions 148
IBT
- See International Building Trades Union
IBUE (Int. Broth. of Univ. Employees)
- Court Cases 134
- PERB Decisions 218
Illinois
- Arbitration Awards 15-25
- City Coll of Chicago 110
- Court Cases 110
- Ill. Inst. Tech. 15, 16, 147
- Ill. State Coll. & U. 17, 18
- Ill. State U. 19-22
- Loyola U. Med. Center 148
- NLRB Decisions 147-9
- Roosevelt U. 23
- U. of Chicago 24, 25, 149
Illinois Institute of Technology
- Arbitration Awards 15, 16
- NLRB Decisions 147
Illinois State Coll. & Universities
- Arbitration Awards 17, 18
Illinois State University
- Arbitration Awards 19-22
Increment, Salary
- See Salary Increase
Indiana
- Arbitration Awards 26-27
- Ball State U. 26, 27
- NLRB Decisions 150
- U. of Evansville 150
Industrial Union of Marine and Shipbuilding Workers of America
- NLRB Decisions 153
Information, Access to
- NLRB Decisions 156-7
Injunctive Relief
- Court Case 124
Institutional Workers
- See Hospital &...
- See Medical Center Unions

Injunctive Relief
- Court Cast 124
Insubordination
- Arbitration Awards 47, 62, 87
Insurance Coverage
- Arbitration Awards 53
Inter-Union Disputes
- Arbitration Awards 89, 91
International Assoc. of Firefighters
- NLRB Decisions 145
International Brotherhood of Electrical Workers
- See IBEW
International Brotherhood of Painters and Allied Trades
- See Brotherhood of Painters..
International Brotherhood of Police Officers
- NLRB Decisions 159
- See Security Guards
International Brotherhood of University Employees
- See IBUE
International Building Trades Union
- PERB Decisions 200, 202
- See also 193
International Union of Operating Engineers
- Arbitration Awards 64, 84, 90
- NLRB Decisions 143, 168
- PERB Decisions 183, 199, 212
Interns
- Court Cases 118-21, 132
- PERB Decisions 198-213
Iowa
- Court Cases 111-2
- Iowa State U. 111-2
- Strikes 233
- U. of N. Iowa 233
Iowa State University
- Court Cases 111-2
Ithaca College
- SLRB Decisions 195
IUOE
- See International Union of Operating Engineers
Job Duties
- Arbitration Awards 19
Job Reclassification
- PERB Decisions 177
- Strikes 242
Job Vacancy, Temporary
- Arbitration Awards 70
Judgement, Lack of Prudent
- Arbitration Awards 49, 93
Jurisdiction
- Arbitration Awards 26, 66
- Court Cases, Re PERB Decisions 113-21, 126-8, 132
- NLRB Decisions 142, 148, 152, 155, 158-61
- NLRB, Re PERB 160, 205
- PERB Decisions 181
Jurisdiction Not Asserted
- NLRB Decisions 165, 167-8 173, 176
Kansas
- Contract at Kanas U. Md. Center 105
- Fort Hays State Coll. 178
- Kansas State Coll. of Pittsburgh 179
- Laurence & Kansas U. Medical Center 105, 178, 235
- PERB Decisions 178-9
- Strikes 235
Kansas State College of Pittsburgh
- PERB Decisions 179
Kansas U. Medical Center
- Contract w/L.I.U. 105
- Strikes 235
Kent State University
- Arbitration Awards 68-73
- Court Cases 131
Kentucky
- Georgetown College 151
- NLRB Decisions 151
Laborers' International Union
- See L.I.U.
Lake Michigan College
- Fact-Finding Awards 96
Language, Disparaging
- Arbitration Awards 8
Language, Vulgar
- Arbitration Awards 24
Law Enforcement Employees Union (Teamsters)
- PERB Decisions 187
- See Security Guards
Layoffs
- Arbitration Awards 4, 28, 43, 71, 80,82, 94
- Court Cases 123, 131
- See also Financial Exigency
- See also Retrenchment
Leave Time, Terminal
- Arbitration Awards 58
Leaves of Absence
- Arbitration Awards 13, 45
- Union Consent 13

Legislation, Re C. B.
- Court Cases 111-2, 114-5, 118-21
Leland Stanford Jr. U.
- Arbitration Awards 4
- NLRB Decisions 145
Le Moyne College
- SLRB Decisions 196
Library Employees
- NLRB Decisions 144, 165
- Strikes 103, 104, 240
- Students 103
Life Insurance Coverage
- Arbitration Awards 53
L.I.U.
- Contracts 105
- NLRB Decisions 141, 150
Lockout
- Arbitration Awards 84
Long Island College Hospital
- Court Cases 126-8
- SLRB Decisions 197-8
Long Island Univ. (C.W. Post)
- Arbitration Awards 64
- SLRB Decisions 199
Longevity
- Fact-Finding Award 97
Longevity Pay from Disability
- Arbitration Awards 44
Louisiana
- NLRB Decisions 152
- Tulane University 152
Loyola Univ. Med. Center
- NLRB Decisions 148
Macomb College Association of Office Personnel
- Arbitration Awards 40
Macomb County Comm. Coll.
- Arbitration Awards 40
- Fact-Finding Awards 97
Maine
- Bowdoin College 153
- NLRB Decisions 153
Management Fiat
- Arbitration Awards, 7, 40, 90
- PERB Decisions 216
Marine Workers
- See Industrial Union of

Massachusetts
- Arbitration Awards 28-33
- Berklee Coll of Music 154
- Boston Coll. 28, 155
- Boston U. 29, 156-7
- Court Cases 113

Massachusetts (cont.)
- Garland Jr. Coll. 158
- Harvard University 30
- MIT 31, 32
- Mount Holyoke Coll. 159
- NLRB Decisions 154-61
- University Hospital 113
- Wheaton Coll. 33
- Worcester Poly. Inst. 160-1

Massachusetts Institute of Technology
- Arbitration Awards 31, 32
Master Printers Association
- Court Cases 110
Mediation
- Public v. Private Sector 139
- See also Keyword Indexes, Bibl. 1 and 2 - Coll.Barg. in Higher Educ. - 1971-73, and 1974.
Mediation Board - Michigan
- Court Cases 114-6, 118-121
Medical Center Unions
- American Physical Therapy Assoc. 191
- Committee of Interns & Residents of NYC 213
- See Drug & Hospital Employee Union
- Hospital & Institutional Workers' U. 142
- Hospital & United Plant Guard Workers 222
- House Staff Assoc. of Long Island Coll. 198
- Nat. Union of Hospital & Nursing Home Emp. 167, 217
- Penn. Soc. of Hospital Pharmacists 221
Medical Centers
- Arbitration Awards 24,56,66
- Contract 105
- Court Cases 113, 119-21, 126-8, 132, 136-7
- NLRB Decisions 142, 148, 167-8
- PERB Decisions 178, 190-2, 198, 200-2, 213-17, 219-22
- Strikes 234-5
Medical College of Pennsylvania
- PERB Decisions 217
Medical Statement
- Arbitration Awards 45, 48
Meharry Medical College
- Court Cases 136
Membership, Union
- OPEIU 247

MERC
- See Mediation Board - Michigan
Mergers 140
Merit System 138
Metropolitan Boston Maintenance Council
- Arbitration Awards 30
Michigan
- Arbitration Awards 34-55
- Central Mich. U 34-6
- Charles S. Mott C.C. 180
- Court Cases 114-21
- Eastern Michigan U. 114-5, 181
- Fact-Finding Awards 96-7
- Ferris State Coll. 37-8
- Grand Valley State Coll. 39
- Lake Michigan Coll. 96
- Macomb Cty. Comm. Coll. 40, 97
- See Mediation Board-Mich.
- Mich. State U. 41-44, 116-7, 182, 230, 237
- Northern Mich. U. 45-6
- Oakland Comm. Coll. 183
- PERB Decisions 180-4
- Strikes 237
- U. of Mich. 47-51, 118-21, 184
- Wayne State U. 52-4
- Western Mich. U. 55
Metropolitan Boston Maintenance Council
- Arbitration Awards 30
Michigan State University
- Arbitration Awards 41-44
- Contract 230
- Court Cases 116-7
- PERB Decisions 182
- Strikes 230, 237
Michigan State U. Employees Association
- PERB Decisions 182
Milwaukee Area Technical Coll.
- Contract 226
Minnesota
- Bemidji State Coll. 185
- PERB Decisions 185-8
- U. of Minnesota 186-7
- Winona State Coll. 188
Missouri
- NLRB Decisions 162
- Washington U. 162
Montana
- Court Cases 122
- State Board of Educ. 122
Montana State Board of Educ.
- Court Cases 122
Mount Holyoke College
- NLRB Decisions 159
Mount Mary College
- Arbitration Awards 90
Mount Union College
- NLRB Decisions 169
National Council of Distributive Workers of America
- See Distributive Workers of America
National Labor Relations Board
- See NLRB
National Union of Hospital & Nursing Home Employees
- NLRB Decisions 167
- PERB Decisions 217
National Union of Security Officers and Guards
- PERB Decisions 219
- See Security Guards
Nevada
- Court Cases 123
- U. of Nevada 123
Nevada Employees Association
- Court Cases 123
New York
- Arbitration Awards 56-66
- Barnard Coll. 124, 163-4
- Colgate U. 189
- Columbia U. 56, 125, 165, 190-2, 231, 236
- Cornell U. 166, 193
- Court Cases 124-28
- CUNY 57-59, 98, 99
- Fact-Finding Awards 98-99
- Fordham U. 60, 61
- Genesee Comm. Coll. 62
- Hamilton Coll. 63, 194
- Ithaca Coll. 195
- LeMoyne Coll. 196
- Long Island Coll. Hospital 126-8, 197-8
- L.I.U. (C. W. Post) 64, 199
- Mandatory Subj. of C. B. 102
- NLRB Decisions 163-6
- N.Y.U. 203-5
- N.Y.U. Medical Center 200-2
- PERB Decisions 189-213
- Skidmore Coll. 206
- See SLRB
- Strikes 104, 231, 236, 240
- Suffolk City, C.C. 65
- Syracuse U. 104, 207-8, 240

New York (cont.)
- Suny 209
- Thompkins-Cortlan C.C. 210-11
- Wagner Coll 212
- Yeshiva U. Coll. Med. 66, 213
New York University
- SLRB Decisions 203-5
New York U. Medical Center
- SLRB Decisions 200-202
NLRB Deceisions
- See SLRB (State Labor Relations Board) for private colleges in N.Y.S.
NLRB Decisions - Colleges
- Barnard Coll. 163-4
- Berklee Coll. of Music 154
- Boston Coll. 155
- Boston U. 156-7
- Bowdoin Coll. 153
- Calif. C. of Podiatory Med. 142
- Calif.Inst. of Tech. 143
- Claremont Coll.144
- Columbia U. 165
- Cornell U. 166
- Duke U. 157-8
- Duquesne U. 171-2
- Garland Jr. Coll. 158
- George Washington U. 174-5
- Georgetown Coll. (Kentucky) 151
- Howard U. 176
- Illinois Inst. Tech. 147
- Leland Stanford Jr. U. 145
- Loyola U. Med. Center 148
- Mt. Holyoke Coll. 159
- Mt. Union Coll. 169
- Temple U. 173
- Tulane U. 152
- Tuskegee Inst.141
- U. of Chicago 149
- U. of Evansville 150
- U. of Pacific 146
- U. of Tulsa 170
- Washington U. 162
- Worcester Poly. Inst. 160-1
NLRB Decisions - State
- Alabama 141
- Caifornia 142-6
- Illinois 147-9
- Indiana 150
- Kentucky 151
- Louisana 152
- Maine 153
- Massachusetts 154-161
- Missouri 162
- New York 163-6, 189-208, 212-3
NLRB Decisions-State (cont.)
- North Carolina 167-8
- Ohio 169
- Oklahoma 170
- Pennsylvania 171-3
- Washington, D.C. 174-6
NLRB Decisions - Subject
- Arbitration Proceedings 156-7
- Bargaining Unit 141, 143-5, 150-4, 168-70, 172, 175
- Bargaining Unit Inappropriate 142-3, 145, 148, 160-1, 163-4, 167-8, 174
- Discharge 147, 162
- Election Directed 141, 143, 145-6, 150-2, 154, 166, 168-70, 172, 175
- Election Not Directed 142-3, 145, 148, 167-8, 174
- Employer Interference w/Elec. 146
- Information, Access to 156-7
- Jurisdiction Asserted 142, 148, 152, 155, 158-61
- Jurisdiction over PERB 205
- Jurisdiction, Refusal of 165, 167-8, 173, 176
- Librarians 144, 165
- Medical Centers 142, 148, 167-8
- PERB Decisions 160, 205
- Reinstatement 162
- Restaurant Employees 141, 153, 166
- Security Guards 145, 159-61
- Student Employees 163-4, 166
- Transfers, Involuntary 149
- Unfair Labor Practices 146, 149, 156-7, 162, 171
No Agent Vote
- Election 243
- PERB Decisions 212
No-Strike Clause
- Court Case 124
Non-Union Overtime Work
- Arbitration Awards 39
North Carolina
- Court Cases 129-30
- Duke Univ. 129-30, 167-8
- NLRB Decisions 167-8
Northampton County Area Comm. Coll.
- Arbitration Awards 85
Northern Michigan Univ.
- Arbitration Awards 45-6
Nursing Home Employees
- See Medical Center Unions
- See National Union of Hospital &...

Oakland Community College
- PERB Decisions 183
OCSEA (Ohio Civil Service Empl. Assoc.)
- Contracts 106-7
- Merger 140
Office & Professional Empl. International Union
- See OPEIU
Ohio
- Arbitration Awards 67-83
- Binding Arbitration 3
- Central State U. 67
- Contracts 106-7
- Court Cases 131
- Kent State U. 68-73, 131
- Mount Union Coll. 169
- NLRB Decisions 169
- Ohio State U. 79, 106, 234
- Ohio U. 74-8, 80, 81, 232
- Strikes 232, 234, 244
- Student Employees 243-4
- Toledo U. 107
- U. of Cincinnati 82
- Wilberforce U. 83
Ohio State University
- Arbitration Awards 79
- Contract w/OCSEA 106
- Strikes 234
Ohio University
- Arbitration Awards 74-78, 80, 81
- Strikes 232, 244
- Student Employees 243-4
Oklahoma
- NLRB Decisions 170
- U. of Tulsa 170
OPEIU
- Arbitration wards 23, 60, 61, 66
- Membership 247
- NLRB Decisions 144
- PERB Decisions 203-5
Operating Engineers Union
- See International Union of
Oregon
- PERB Decisions 214-6
- U. of Oregon Dental School 214
- U. of Oregon Med. School 215-6
Overtime
- Arbitration Awards 10, 17, 32, 39, 57, 72, 92
- Court Case 135
- Fact-Finding Awards 99
- Student Employment Affecting 21
Overtime Pay
- Arbitration Awards 29
- Court Cases 129-30
Overtime, Refusal of
- Arbitration Awards 10, 35
Packing House Workers
- Court Cases 111-2
Painters, Decorators & Paperhangers of America
- See Brotherhood of Painters...
Paperhangers
- See Brotherhood of Painters...
Parking Facilities
- Arbitration Awards 7
Past Practice
- Arbitration Awards 40, 60
PEAK
- PERB Decisions 179
Pennsylvania
- Arbitration Awards 84-89
- Court Cases 132-5
- Drexel U. 84
- Duquesne U. 171-2
- Einstein Med. Center 132
- Grove City Coll. 133
- Medical Coll. 217
- NLRB Decisions 171-3
- Northampton County C. 85
- Penn. State U. 86
- PERB Decisions 217-23
- PLRB see PERB above
- Strikes 238-9
- Temple U. 87, 134, 173, 219-20, 238
- Thomas Jefferson U. 221
- U. of Penn. 88, 222
- U. of Pittsburgh 89, 223, 239
- Waynesburg Coll. 135
Pennsylvania Society of Hospital Pharmacists
- See Medical Center Unions
- PERB Decisions 221
Pennsylvania State University
- Arbitration Awards 86
PERB/SLRB Decisions - Colleges
- Bemedji St. Coll. 185
- Charles St. Mott C.C. 180
- Colgate U. 189
- Coll. of Physicians (Columbia U.) 192
- Columbia U. 190-2
- Cornell U. 193
- Dist. 1 Tech. Inst. 224
- Eastern Mich U. 181
- Eau Claire Tech. Inst. 224
- Fort Hays State Coll. 178

PERB/SLRB Decisions - Colleges (contd.)
- Hamilton Coll. 194
- Ithaca Coll. 195
- Kansas St. Coll. of Pitt. 179
- Le Moyne Coll. 196
- Long Island Coll.Hosp. 197-8
- Long Island U. (Post) 199
- Medical Coll. of Penn. 217
- Mich. State U. 182
- N.Y.U. 203-5
- N.Y.U. Med. Center 200-2
- Oakland Comm. Coll. 183
- Post, C.W., Coll. (L.I.U.) 199
- Skidmore Coll. 206
- SUNY 209
- Syracuse U. 207-8
- Temple U. 218-20
- Thomas Jefferson U. 221
- Tompkins-Cortland C.C. 210-11
- U. of Hawaii 177
- U. of Kansas 178
- U. of Michigan 184
- U. of Minnesota 186-7
- U. of Oregon (Dental/ Med.) 214-6
- U. of Penn. 222
- U. of Pittsburgh 223
- Wagner Coll. 212
- Winona State Coll. 188
- Yeshiva U. 213

PERB/SLRB Decisions - State
- Hawaii 177
- Kansas 178-9
- Michigan 180-4 (see also Mediation Board-Mich.)
- Minnesota 185-8
- New York 189-213 (Includes SLBR decisions for private colleges.)
- Oregon 214-6
- Pennsylvania 217-23
- Wisconsin 224

PERB/SLRB Decisions - Subject
- Bargaining Unit 177-8, 181, 186, 189-91, 193-4, 196-8, 200-204, 206-9, 213, 215, 218-9, 224 (See also certification below)
- Barg. Unit Inappropriate 184, 189, 194-5, 199, 202-3, 214, 219, 223

PERB/SLRB Decisions - Subject (Contd.)
- Certification 179-80, 182-3 185, 187, 190, 192, 210-11, 217, 221-2
- Court Cases 113-21, 126-8, 132
- Court Jurisdiction as above
- Decertification 188
- Elections 178, 181, 186, 189, 191, 193-4, 196-8, 200-1, 204, 206-9, 213, 215, 219
- Interns 198, 213
- Job Reclassification 177
- Jurisdiction Asserted 181
- Jurisdiction by Courts 113-21, 126-8, 132
- Jurisdiction by NLRB 160, 205
- Management Fiat 216
- Medical Centers 178, 190-92, 198, 200-202, 213-17, 219-222
- NLRB Jurisdiction 205
- No Agent Vote 212
- Post Doctoral (Medical) 198, 213
- Residents, Medical 198, 213
- Restaurant Employees 202, 206, 208-9
- Salary Increase 216
- Security Guards 187, 219, 222
- Student Employees 184, 189, 194, 209
- Students (Interns etc.) 198, 213
- Unilateral Fiat 216

Performance Evaluation
- Arbitration Awards 73

Personnel File
- Arbitration Awards 68, 73

Pharmacists, Penn. Society of Hospital
- See Medical Center Unions
- PERB Decisions 221

Physical Therapy Assoc., Amer.
- See Medical Center Unions
- PERB Decisions 191

Picketing
- Arbitration Awards 15, 84
- Court Cases 112, 124
- Disability Leave 15

Plant Guards
- See Security Guards

PLRB - Pennsylvania
- See PERB - Penn.

Police
- See Security Guards

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Police Officers Assoc.
- NLRB Decisions 145
- See Security Guards
Political Activities
- Arbitrattion Awards 12
Post, C. W. College (L.I.U.)
- Arbitration Awards 64
- SLRB Decisions 199
Post Doctoral Students
- Court Cases 118-21, 132
- PERB decisions 198, 213
Posting Notice on Bulletin Bd.
- Arbitration Awards 8, 70, 75, 78, 79
Preferential Hiring
- Arbitration Awards 81
Printers Unions
- See Master Printers Assoc.
- See Printing Pressmen's Union
Printing Pressemen's Union
- PERB Decision 223
Private Sector Mediation 139
Professional Employees Union
- See OPEIU
Promotion
- Arbitration Awards 6, 14, 30, 38, 46, 61,65, 69, 70, 74, 75, 76
- Lack of Evidence for 69
- Probationary 61
- Temporary 70
Prudent Judgement, Lack of
- Arbitration Awards 41
Public Employee Relations Boards
- See PERB
Public Employer, Re Legislation
- Court Cases 111-2, 114-5, 118-9, 121, 132
Public & Law Enforcement Employees Union (Teamsters)
- PERB Decsisions 187
- See Security Guards
Public Sector Labor Relations
- See Bibl. 1 - Coll. Barg. in Higher Educ. 1971-73, Key Word Index and pp 33-5, 50-1. Bibl. 2 - 1974 , Index and pp 77-79
Public Sector Mediation 139
Punitive Damages
- Arbitrators' Powers 29
Qualifciations for Promotion
- Arbitration Awards 6, 23, 30, 34, 61, 65, 76, 78, 81
Queen's University (Canada)
- Arbitration Awards 7
Race Discrimination
- Arbitration Awards 12, 24, 88
Rehiring After Layoff
- Arbitration Awards 82
Reinststement
- Arbitration Awards 4, 25, 36, 52, 71, 74, 94
- NLRB Decision 162
Representation Disputes
- Arbitration Awards 64
Reprimand, Letter of
- Arbitration Awards 68
Research, Development & Tech. Employees Union
- Arbitration Awards 31
Residents, Medical
- Court Cases 118-21, 132
- PERB Decisions 198, 213
Restaurant Employees
- Arbitration Awards 67
- See Cafeteria Workers Union
- See Cooks and Pastry Assoc.
- See Hotel, Motel & Restauarant
- NLRB Decision 141, 153, 166
- PER Decisions 202, 206, 208-9
- Strikes 103, 231
- Student Employees 103
Retail Store Employees Union
- See RWDSU
Retail, Wholesale & Dept. Store Union
- See RWDSU
Retirement Program Participation
- Arbitration Awards 53
Retrenchment
- Arbitration Awards 4, 28, 43, 71, 80, 82, 94
- Court Cases 123, 131
Roosevelt University
- Arbitration Awards 23
RWDSU
- Arbitration Awards 89
- NLRB Decisions 174
- PERB Decisions 202,220
Sabotage
- Arbitration Awards 23
- See Campus Unrest
- See Disruptive Activities

Salary
- Arbitration Awards 56, 60, 85
- Arbitration Hearing While at 20
- Back Pay Arbitration Awards 36, 38, 50, 72, 94
- Catch Up 227
- Contracts 226-7, 230
- Cost of Living 227-8
- Court Cases 122, 129-30, 133-4, 136-7
- Disability 44
- Fact-Finding Awards 95, 97, 99
- Freezing at 65 years 60
- Increase 56, 60, 216, 226, 229-30
- Inequity, Court Cases 122, 133-4, 136-7
- Library Employees 104
- Longevity Fact-Finding Award 97
- Minimum 129-30
- Overtime Pay Arbit. Awards 29
- Overtime Pay Court Cases 129-30
- PERB Decesions 216
- Rollback 228
- Service Increment Fact-Finding 98
- Sick Pay Arbit. Awards 11
- Strikes 103, 104, 230
- Student Employees 103, 244-5
- Vacation Pay Arbit. Awards 49

Schedule, Work
- Arbitration Awards 27, 31

Scholastic Technical-Service Employees
- Arbitration Awards 86

Secretarial Association & Sec. Union
- PERB Decisions 180

Secretaries
- Arbitration Awards 61

Security Guards
- Arbitration Awards 41, 63, 71, 87, 93, 94
- NLRB Decision 145, 159-61
- PERB Decisions 187, 219, 222

Security Guards - Unions
- Fraternal Order of Police 41
- Hospital & United Plant Guard Workers 222
- Internal. Brotherhood of Police Office 159
- Law Enforcement Emp. Union 187
- Natl' Union of Security Officers 219

Security Guards - Unions (Cont.)
- Police Officers Assoc. 145
- Public & Law Enforcement Emp. Union 187
- United Plant Guard Workers 87

SEIU
- Arbitration Awards 15, 16, 25, 28, 29, 32-3, 62, 63, 64, 89, 91
- NLRB Decisions 142, 146, 152, 154-7, 160-2, 169, 172
- PERB Decisions 180, 189, 194, 199-200, 206-8
- Strikes 240

Seniority
- Arbitration Awards 6, 14, 23, 30, 38, 46, 61, 65, 70, 71, 75, 76, 78, 81

Service Employees International Union
- See SEIU

Service Increment
- Fact-Finding Award 98

Sex Discrimination
- Arbitration Awards 54
- Court Cases 109, 122, 133-4, 136-7

Shipbuilding Workers
- See Industrial Union of Marine and Shiipbuilding

Sick Leave
- Arbitration Awards 11, 40

Sick Pay
- Arbitration Awards 11

Skidmore College
- SLRB Decisions 206

SLRB (State Labor Relations Board) Private Colleges in N.Y.S.
- Colgate U. 189
- Columbia U. 190-2
- Cornell U. 193
- Hamilton Coll. 194
- Ithaca Coll. 195
- Le Moyne Coll. 196
- Long Island Coll. Hosp. 197-8
- Long Island U. (C. W. Post) 199
- N.Y.U. 203-5
- Skidmore Coll. 206
- Syracuse U. 207-8
- Wagner Coll 212
- Yeshiva U. (Coll. Med.) 213

Stanford (U) Employees Assoc.
- See Also Leland Stanford Jr. U
- NLRB Decisions 145

State Center Comm. Coll.
- Fact-Finding Awards 95

State Univ. of N. Y.
- See SUNY

Steel, Metals, Alloys & Hardware Fabricators Union
- PERB Decisions 200
Strikes 15, 103-4, 230-42
- Disability Leave 15
- Job Classification 242
- Library Employees 104, 240
- Salary 230
- Student Employees 103, 244
Students
- Arbitration Awards 21, 43, 80
- Employment 243-5
- Interns etc. 118-21, 132 198, 213
- NLRB Decisions 163-4, 166
- Not in Barg. Unit 21, 43, 80, 103, 163-4, 166
- Salaries 245
- Strikes 103, 244
- Summer Jobs 245
- Union, No 243
- Work Assignment on Holidays 21
- NLRB Decisions 163-4, 166
- PERB Decisions 184, 189, 194, 209
Study Committees
- Fact-Finding Award 95
Subjects of C. B.,Mandatory 102
Suffolk County Comm. Coll.
- Arbitration Awards 65
Summer Jobs
- Students 245
SUNY
- PERB Decisions 209
Syracuse University
- Library Employee 104, 240
- SLRB Decisions 207-8
- Strikes 104, 240
Teamsters Union
- Arbitration Awards 85-6
- NLRB Decisions 143, 150, 166, 171, 175-6
- PERB Decisions 187, 209
Temple University
- Arbitration Awards 87
- Court Cases 132, 134
- NLRB Decisions 173
- PERB Decisions 218-20
- Strikes 238
Tennessee
- Court Cases 136
- Meharry Medical Coll. 136
Terminal Leave Time
- Arbitration Awards 58
Termination for Non-Dues Payment
- Arbitration Awards 42
Theft of Property
- Arbitration Awards 51, 86
Therapy Assoc., Amer. Physical
- See Medical Center Unions
- PERB Decisions 191
Thomas Jefferson University
- PERB Decisions 221
Time Limit Arbitrability
- Arbitration Awards 55, 90
Time Limit re Leave of Absence
- Abritration Awards 45
Time Span for Grievance
- Arbitration Awards 17
Timeliness
- Arbitration Awards 9, 50
- Court Case 125
Toledo University
- Contract w/OCSEA 107
Tompkins-Cortland Comm. Coll.
- PERB Decisions 210-11
Training
- Arbitration Awards 78
Transfer Policy
- Fact-Finding Award 95
Transfers, Involuntary
- Arbitration Awards 62, 88
- NLRB Decisions 149
Transfers, Temporary
- Arbitration Awards 32, 37, 49
Transport Workers Union
- Court Cases 124-5
Tulane University
- NLRB Decisions 152
Tuskegee Institute
- NLRB Decisions 141
UFCT
- See United Federation of College Teachers
Unfair Labor Practices
- NLRB Decisions 146, 149, 156-7, 162, 171
Unilateral Fiat
- Arbitration Awards 7, 40, 90
- PERB Dcisions 216

Unions
- Certification by Courts 116, 126-8
- Consent for Leave of Absence 13
- Disputes Between - Arbitration Awards 89, 91
- Mandatory Subj. of C.B. 102
- Membership (OPEIU) 247
- See Specific Names of
- Pay While at Arbitration Hearing 20
- Representation Disputes - Arbitration Award 64
- Unit, Bargaining
- See Bargaining Unit

United Federation of College Teachers
- PERB Decisions 204

United Plant Guard Workers of America
- Arbitration Awards 87
- See Security Guards

U. S. Air Force Academy
- Contract w/AFGE 108

University Hospital
- Court Cases 113

University of California
- Arbitration Awards 5-6

University of Chicago
- Arbitration Awards 24, 25
- NLRB Decisions 149

University of Cincinnati
- Arbitration Awards 82

University of Colorado
- Court Cases 109
- Strikes 103
- Student Employees 103

University of Delaware
- Arbitration Awards 14
- Strikes 241

University of Evansville
- NLRB Decisions 150

University of Hawaii
- PERB Decisions 177
- Salaries 229

University of Iowa
- Merit System 138

University of Kansas
- PERB Decision 178

University of Michigan
- Arbitration Awards 47-51
- Court Cases 118-121
- PERB Decisions 184

University of Minnesota
- PERB Decisions 186-7

University of Nevada
- Court Cases 123

University of Northern Iowa
- Strikes 233

University of Oregon (Dental & Med. Schools)
- PERB Decisions 214-6

University of the Pacific
- NLRB Decisions 146

University of Pennsylvania
- Arbitration Awards 88
- PERB Decisions 222

University of Pittsburgh
- Arbitration Awards 89
- PERB Decisions 223
- Strikes 239

University of Tulsa
- NLRB Decisions 170

University of Washington
- Strikes 242

University of Wisconsin
- Arbitration Awards 91-94
- Court Cases 137

Unrest
- See Campus Unrest
- See Disruptive Activities

Vacncy, Temporary Job
- Arbitration Awards 70

Vacation Day
- Arbitration Awards 26
- Governor's Proclamation 26

Vacation Pay
- Arbitration Awards 49

Violations, Access to Infor. on
- Court Case 137

Voting
- Excused absence 16

Wages
- See Salaries (y)

Wagner College
- SLRB Decisions 212

Warehousemen (IBT) Union
- PERB Decisions 200

Washington, D. C.
- George Washington U. 174-5
- Howard University 176
- NLRB Decisions 174-6
Washington (State)
- Job Classification 242
- Strikes 242
- U. of Washington 242
Washington University
- NLRB Decisions 162
Wayne State University
- Arbitration Awards 52-54
Waynesburg College
- Court Cases 135
Western Michigan University
- Arbitration Awards 55
Wheaton College
- Arbitration Awards 33
Wholesale, Retail, Office & Processing Union
- NLRB Decisions 173
- PERB Decisions 204-5
Wilberforce University
- Arbitration Awards 83
Winona State College
- PERB Decisions 188
Wisconsin
- Arbitration Awards 90-94
- Court Cases 137
- District 1 224
- Milwaukee Area Tech. Coll. 226
- Mount Mary Coll. 90
- PERB Decisions 224
- U. of Winconsin 91-94, 137
Witness
- Pay at Arbit. Hearing 20
Women
- See Bibl. 1 and 2 - Coll Barg. in Higher Educ., 1971-73 and 1974.
Worcester Polytechnic Inst.
- NLRB Decisions 160-1
Work Assignment
- Arbitration Awards 19, 25, 37, 39, 57, 68
Work Rule
- Arbitration Awards 93
Work Schedule
- Arbitration Awards 27, 31
Work Stoppage
- Arbitration Awards 35
Yale University
- Arbitration Awards 8-13
Yeshiva University
- Arbitration Awards 66
- SLRB Decisions 213
Youngstown State University
- Arbitration, Binding 3

ADMINISTRATION

1 College President Turns Blue Collar "To Relearn Things." Higher Educ. Daily, June 20, 1973, p.6.

AFFIRMATIVE ACTION
See:
Keyword Indexes, Bibl. 1 and 2 - Coll. Barg. in Higher Educ. - 1971-73 and 1974.

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2 "IBT defeats AFSCME in U. of Minn. Election." 1973 - GERR - 522: B-16.

ARBITRATION

3 "Binding Arbitration Out at Ohio Universities." Attorney general's opinion addressed to Youngstown State U's. Board of Trustees may not submit disputes to binding arbitration under provisions of contract with classified civil service employees. 1974 - GERR - 549: 2, B-10 to 11.

ARBITRATION
See Also:
Bibl. 2 - Coll. Barg. in Higher Educ. - 1974, pp. 7-8.

ARBITRATION AWARDS-CALIFORNIA

4 Leland Stanford, Junior, University, Trustees of and John Bernstein.

Arbitrator holds that grievant was improperly laid off and orders him reinstated to position he held at time of layoff. (February 22, 1974). 1974 - GERR - 556: C-1. Arbitrator Adolph M. Kover.

ARBITRATION AWARDS-CALIFORNIA(cont.)

5 University of California and Individual Grievants.

Concerns ruling on participation of non-professional employees in seizure of university office and in forcibly detaining an administrator. (February 20, 1970). Arbitration in the Schools, AAA Case No. 4-D-6, 7 p.*

6 University of California, San Diego and California State Employees Assn.

University did not violate contract when it hired better qualified outside applicant rather than senior employee. (Jan. 29, 1974). 1974 - GERR - 556: C-1. AAA Case No. 73-30-0012-73.

ARBITRATION AWARDS-CANADA

7 Queen's University and Kingston Heating and Maintenance Workers Union.

In absence of contract requiring university to provide employees with free on-campus parking, university has right to unilaterally discontinue free parking. (April 19, 1971). Full text at 56-LA-950 to 952.

ARBITRATION AWARDS-CONNECTICUT

8 Yale University and Federation of Univ. Employees.

Univ. was justified in not posting on all employee bulletin board an agreed-upon notice, settling controversy concerning efficiency experts who, while doing a survey made disparaging remarks about Union. Univ. had already sent notice to Union. (November 8, 1966). Full text at 47-LA-744 to 746.

9 Yale University and Federation of Univ. Employees.

Grievances are arbitrable, since there is a reasonable doubt concerning employer's waiver of 30-day time limit (timeliness), and doubt resolved in favor of union. (February 28, 1967). Full text at 48-LA-317 to 319.

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* Full text of awards is available from the American Arbitration Association, 140 West 51st St., New York, N. Y. 10020 at 30¢ per page.

ARBITRATION AWARDS-CONNECTICUT (cont.)

10 Yale University and Federation of Univ. Employees.

Dismissal of grievant over refusal to work overtime on Sunday is upheld since grievant did not provide reasonable explanation for refusals. (April 10, 1969). Full text at 52-LA-752 to 55.

11 Yale University and Federation of Univ. Employees.

Additional sick pay is allowed after employee has exhausted his basic sick leave. (July 31, 1969). Full text at 53-LA-482 to 486.

12 Yale University and Federation of Univ. Employees.

University did not discriminate against employee due to his race or political affiliation when he was discharged for disruptive activities on campus. (October 1, 1970). Arbitration in the Schools. AAA Case No. 13-DE-13, 17 p. Full text at 55-LA-1069 to 1074.

13 Yale University and Federation of Univ. Employees.

In granting an employee, John Amore, a leave of absence without Union's consent, the employer was not in violation of the contract. (March 8, 1974). Full text at 62-LA-472-4.

ARBITRATION AWARDS-DELAWARE

14 University of Delaware and AFSCME.

University was not upheld in the selection of a junior bidder without superior qualifications for vacant position to which a senior bidder also aspired. (January 5, 1972).
Arbitration in the Schools. AAA Case No. 31-Y-7, 13 p.

ARBITRATION AWARDS-ILLINOIS

15 Illinois Institute of Technology and Service Employees' Intl. Union.

Grievant is granted non-occupational disability leave as per contract. Employee hospitalized while on picket line duty. (June 29, 1970). Full text at 55-LA-249 to 253.

16 Illinois Institute of Technology and Service Employees Intl. Union.

Clause which gives "up to two hours" excused absence with pay to vote at a general election is not mandatory. Institute can give off any amount it considered reasonable to give employees chance to vote. (November 26, 1971).
Arbitration in the Schools. AAA Case No. 30-F-18, 9 p.

17 Illinois State College and Universities and AFSCME.

Time spans of over a year may be the proper length to determine if employee does have a grievance. University may not violate the equal overtime provision of the agreement. (April 2, 1970).
Arbitration in the Schools. AAA Case No. 4-AH-17, 20 p.

18 Illinois State Colleges and Universities, Board of Regents and AFSCME.

Although contract mentions that individual grievances would go through a grievance procedure while group matters are subject to arbitration there is no law barring individual from seeking arbitration since final step in grievance specifically mentions abritration. (January 4, 1971).
Arbitration in the Schools. AAA Case No. 15-AD-2, 11 p.

19 Illinois State University and AFSCME.

University was directed to rebid jobs after employees who had been given the jobs found that their duties were substantially different from those announced in the original bidding. (June 3, 1969).
Arbitration in the Schools. AAA Case No. 2-W-26, 17 p.

20 Illinois State University and AFSCME.

Payment to union officials who attended arbitration hearings during work day was justified. (July 23, 1971).
Arbitration in the Schools. AAA Case No. 25-F-14, 5 p.
Full text at 57-LA-165 to 67.

21 Illinois State University and AFSCME.

Assigning students to work on holidays did not affect overtime opportunities for civil service employees. (December 29, 1971).
Arbitration in the Schools. AAA Case No. 31-W-17, 9 p.

ARBITRATION AWARDS-ILLINOIS (cont.)

22 Illinois State University and AFSCME.

Clause which permits employee to take funeral leave for "relative outside his immediate family" is limited to listed relatives of employee and not relatives of spouse. (January 19, 1973).
Arbitration in the Schools. AAA Case No. 39-L-8, 11 p.

23 Roosevelt University and O.P.E.I.U.

Employer was not justified in discharging employee for sabotage, improper attitude absenteeism when no corrective discipline given. Employer did not violate seniority provision of contract since current employee did not fulfill the course requirement to fill the job. (April 13, 1971). Full text at 56-LA-604 to 07.

24 University of Chicago (Billings Hospital) and AFSCME.

Discharge is too severe a penalty for Negro technician who used loud/vulgar language during argument with nurse Employee must sign apology statement. (August 16, 1971) Full text at 57-LA-539 to 542.

25 University of Chicago and Service Employees Intl. Union.

Mass movement of laboratory animals is the job of the "animal care specialists" and not the non-union scientists. (February 24, 1972).
Arbitration in the Schools. AAA Case No. 32-W-13, 26 p.

ARBITRATION AWARDS-INDIANA

26 Ball State University and AFSCME.

Governor's proclamation of paid vacation on the 1970 Anniversary of apollo 11 moon landing does not include university employees since they are under Board of Trustees and not the jurisdiction of the Governor. (March 27, 1971).
Arbitration in the Schools. AAA Case No. 17-AF-12, 9 p.

27 Ball State University and AFSCME.

University did not violate the contract when it changed the work schedule of the moving crew so that it conforme with regular university hours. (July 13, 1971).
Arbitration in the Schools. AAA Case No. 25-H-2, 9 p.

ARBITRATION AWARDS-MASSACHUSSETTS

28 Boston College Trustees and Building Service Employees Union.

Although the matrons were part of the bargaining unit, their dismissal due to financial deficit (retrenchment) was not a violation of the contract nor a conspiracy "to do the employees out of jobs." (September 11, 1970). Arbitration in the Schools. AAA Case No. 12-D-10, 14 p.

29 Boston University and Building Service Employees International Union.

Union which worked during Vietnam Moratorium Day can not claim time and a half although university gave permission to students and faculty to participate if they so wished. Awards of punitive damages are beyond arbitrators powers. (January 14, 1970). Arbitration in the Schools. AAA Case No. 6-P-1, 6 p.

30 Harvard University and Metropolitan Boston Maintenance Council.

Management has right to promote junior employee over the more senior workers if he is far better qualified. (January 29, 1971). Arbitration in the Schools. AAA Case No. 17-Y-20, 8 p.

31 MIT and Research, Development and Technical Employees Union.

A change in working hours due to financial problems is reasonable. (January 8, 1971). Arbitration in the Schools. AAA Case No. 17-H-16, 9 p.

32 MIT and Building Service Employee International Union.

Nothing in the agreement requires the institute to call in employees on an overtime basis as a prerequisite to making temporary transfers to a classification during campus unrest. (March 1, 1971). Arbitration in the Schools. AAA Case No. 21-T-15, 5 p. Full text at 56-LA-751 to 2.

33 Wheaton College and Service Employees International Union.

Concerns an appropriate bargaining unit for all non-academic employees. (January 21, 1970). Arbitration in the Schools. AAA Case No. 9-Q-24, 20 p.

34 Central Michigan University and AFSCME.

Being a "zoneman" and a drillers helper in an oil field does not constitute experience for a plumber. Experience for promotion must be solely in the recognized job. (September 24, 1970).
Arbitration in the Schools. AAA Case No. 14-M-17, 14 p.

35 Central Michigan University and AFSCME.

When grievants collectively refuse overtime, this is a partial stoppage and violates no strike clause. (December 21, 1970).
Arbitration in the Schools. AAA Case No. 14-DO-11, 27 p.

36 Central Michigan University and AFSCME.

Mason is ordered reinstated with full seniority but without back pay. (February 16, 1973). 1974-GERR-538: C-2. AAA Case No. 54-39-0763-72.

37 Ferris State College and AFSCME.

The college was required to pay groundsman the classification "B" wage rate for the ten days he was assigned to duties which fell into classification "B". February 22, 1971).
Arbitration in the Schools. AAA Case No. 16-R-5, 12 p.

38 Ferris State College and AFSCME.

Ruling on grievance of two men protesting failure to be awarded posted job which was given to junior employee. Arbitrator denies one and grants grievance of other, without awarding back pay. (February 1, 1974). 1974-GERR-556: C-2. AAA Case No. 54-39-0576-73.

39 Grand Valley State College and AFSCME.

Addition of duties "compatible with those already assigned" to an employee is not a violation of the contract. Also not a violation of agreement to assign overtime custodial work to nonbargaining unit employee. (June 23, 1970).
Arbitration in the Schools. AAA Case No. 11-W-23, 34 p.

40 Macomb County Community College and Macomb College Association of Office Personnel.

Past practice of permitting employees to draw upon accumulated sick leave cannot be eliminated by management fiat. (September 29, 1970).
Arbitration in the Schools. AAA Case No. 11-L-25, 8 p.

41 Michigan State University and Fraternal Order of Police.

University has right to discipline police officer who was involved in traffic accident since prudence and judgement would have dictated more concentration on driving of his vehicle when driving conditions worsened. (January 21, 1971).
Arbitration in the Schools. AAA Case No. 15-D-11, 5 p.

42 Michigan State University and AFSCME.

Under an agency shop contract employees must join the union or pay the equivalent dues. Failure to do so mandates termination of employement by university. (February 22, 1971).
Arbitration in the Schools. AAA Case No. 16-U-7, 8 p.

43 Michigan State University and AFSCME.

University has right to layoff union workers while still retaining student workers (June 7, 1971).
Arbitration in the Schools. AAA Case No. 22-D-6, 14 p.

44 Michigan State University and AFSCME.

Employee who is not working due to a disabling injury is not eligible for longevity pay since he is not in active service. (September 2, 1971).
Arbitration in the Schools. AAA Case No. 27-F-13, 4 p.

45 Northern Michigan University and AFSCME.

University was justified in firing employee who failed to submit a medical statement for leave of absence within the contractual time limit. (October 8, 1971).
Arbitration in the Schools. AAA Case No. 28-ADLS-7, 12 p.

46 Northern Michigan University and AFSCME.

Arbitrator rules that better qualified applicant for building maintenance job was entitled to it over claim of less qualified, though senior grievant. (January 4, 1974). 1974-GERR-548: C-2

47 University of Michigan, Regents of and AFSCME.

University had just cause to discharge employee who failed to follow directive of supervisor. (July 1, 1971).
Arbitration in the Schools. AAA Case No. 23-D-14, 19 p.

48 University of Michigan and AFSCME.

Disciplinary layoff for repeated unexcused absenteeism is warranted as is the demand that employee provide medical certificate. (July 31, 1971).
Arbitration in the Schools. AAA Case No. 26-DS-12, 30 p.

49 University of Michigan and AFSCME.

Employee who commenced vacation while temporarily at a higher rated job is entitled to higher vacation pay under clause which says pay is based on rate "at the time vacation is taken". (July 14, 1971).
Arbitration in the Schools. AAA Case No. 26-F-4, 13 p.

50 University of Michigan and AFSCME.

Janitor improperly sent home when he wore shorts. It was not held to violate dress code. No back pay because of delay in filing grievance. (August 19, 1971).
Arbitration in the Schools. AAA Case No. 27-DC-4, 21 p.

51 University of Michigan and AFSCME.

Discharge of employee for theft of property was not unreasonable despite a two year unblemished record. (June 10, 1972).
Arbitration in the Schools. AAA Case No. 32-D-6, 10 p.

52 Wayne State University and AFSCME.

Employee who has had heart disorders should be re-instated by university. However, Wayne State has the right to reexamine him and if condition degenerates, they can discharge him. (May 13, 1970).
Arbitration in the Schools. AAA Case No. 7-S-10, 11 p.

ARBITRATION AWARDS-MICHIGAN (cont.)

53 Wayne State University and AFSCME.

Employee who did not participate in retirement program is still eligible for life insurance coverage under clause which states that all employees are covered after retirement. (February 18, 1972).
Arbitration in the Schools. AAA Case No. 33-F-24, 12 p.

54 Wayne State University and AFSCME.

University is not guilty of sexual discrimination when barring female equipment attendants from men's lockerrooms. (December 21, 1972).
Arbitration in the Schools. AAA Case No. 38-EM-1, 13 p.

55 Western Michigan University and AFSCME.

Arbitrability of mutual agreement to extend time limit for grievance procedure does not give union an unlimited time period. (August 11, 1971).
Arbitration in the Schools. AAA Case No. 26-A-3, 16 p.

ARBITRATION AWARDS-NEW YORK

56 Columbia University and Drug and Hospital Union.

When university grants salary increase to new employees prior to contractual obligation date it does not have effect of changing contractual agreement. (October 23, 1970).
Arbitration in the Schools. AAA Case No. 11-P-20, 5 p.

57 CUNY - Board of Higher Education and AFSCME.

Administrative personnel who worked half-days during school emergency are entitled to only this amount off and not full days under clause giving personnel compensatory time off for "hours worked" during emergencies. (December 15, 1969).
Arbitration in the Schools. AAA Case No. 4-P-1, 8 p.

58 CUNY - Board of Higher Education and AFSCME.

A clause in the contract between the local and board, permits the local to compute terminal leave time as provided in the contract between the Union and the City. (June 30, 1971).
Arbitration in the Schools. AAA Case No. 23-L-2, 12 p.

59 CUNY - Board of Higher Education and AFSCME.

A college employee is denied taking a course during lunch hours. (June 8, 1972).
Arbitration in the Schools. AAA Case No. 36-F-5, 6 p.

60 Fordham University and Office and Professional Employees International Union.

Contracts which provides for yearly wage increases for "all employees in the bargaining unit" includes those over the age of 65 despite past practice of freezing compensation of those employees. (October 24, 1969).
Arbitration in the Schools. AAA Case No. 1-R-28, 5 p.

61 Fordham University and OPEIU.

Secretary who had the skills for advanced position but lacked the "preferred" educational background was entitled to a probationary tryout. (February 9, 1973).
Arbitration in the Schools. AAA Case No. 42-M-5, 3 p.

62 Genesee Community College and SEIU.

Custodian's warning for poor work and insubordination sustained; employer's handling of involuntary transfers of custodial and maintenance employees sustained. (November 24, 1972). 1973-GERR-501: C-3. AAA Case Nos. 54-39-0496-72 and 54-39-0501-72.

63 Hamilton College, Trustees of and Service Employees International Union.

Security employees were excluded from unit consisting of service and maintenance employees as they lacked a "community of interest." (No Date Indicated).
Arbitration in the Schools. AAA Case No. 2-Q-21, 4 p.

64 Long Island University (C.W. Post College) - International Union of Operating Engineers and S.E.I.U.

Interunion dispute over representation. (September 18, 1969). Full text at 54-LA-450 to 451.

ARBITRATION AWARDS-NEW YORK (cont.)

65 Suffolk County Community College and C.S.E.A.

College violates agreement when it hires an employee from outside the bargaining unit when the contract states that advancement is based on qualification and seniority and unit member met these qualifications. (December 31, 1970).
Arbitration in the Schools. AAA Case No. 14-M-9, 6 p.

66 Yeshiva University and Drug and Hospital Union and Office and Professional Employees International Union.

Concerns a jurisdictional dispute where three administrative employees are not employed at the "first level of administration below the department chairmen" and therefore cannot be in the Professional Employees Union Unit. (May 26, 1970).
Arbitration in the Schools. AAA Case No. 7-U-12, 8 p.

ARBITRATION AWARDS-OHIO

67 Central State University and AFSCME.

Absent a clause to the contrary, food service employees are required to prepare and serve food to faculty and guests as well as to students without additional compensation. (May 25, 1970).
Arbitration in the Schools. AAA Case No. 9-R-19, 5 p.
Full text at 54-LA-1159 to 63.

68 Kent State University and AFSCME.

Union steward was properly ordered to clear ladies' restrooms as part of increased workload. Another employees' letter of reprimand "is to stay in his file since it is not devastating in nature." (June 23, 1969).
Full text at 53-LA-224 to 226.

69 Kent State University and AFSCME.

Insufficient evidence existed to show that employee who was a "stores clerk I" was in fact doing work of a "stores clerk II." Arbitrator holds that there was insufficient evidence to sustain claim of a need to change present classification. (February 26, 1971).
Arbitration in the Schools. AAA Case No. 16-W-12, 7 p.

70 Kent State University and AFSCME.

Employer must post notice of temporary vacancy and to award position to senior qualified applicant within department based on university-wide seniority. (February 29, 1972). Full text at 58-LA-662 to 665.

71 Kent State University and AFSCME.

University police department employee awarded reemployment (after layoff) "in any department employing new people in accordance with his seniority" and competence to perform job. (FMCS File No. 72A/8255; GR. No. 6-72, June 12, 1972). 1973-GERR-491: C-4.
Arbitration in the Schools. AAA Case No. 35-Y-19, 7 p.

72 Kent State University and AFSCME.

Denial of Saturday overtime to residence hall maids ruled contract breach; back pay denied for insufficient evidence. (FMCS Arbitration File No. 72A/6768, August 4, 1972). Full text at 59-LA-451-452.

73 Kent State University and AFSCME.

Unfair performance evaluation based on insufficient information ordered removed from administrative assistant's personnel file. (FMCS Arbitration File No. 73A/7, Grievance No. 15-72, (November 10, 1972). Full text at 59-LA-1007 to 1014.

74 Ohio University and AFSCME.

Newly promoted university employee was discharged without cause; however, the grievant's request that he be reinstated to his old position was denied, there being no evidence of unsatisfactory service in new job. (August 17, 1969).
Arbitration in the Schools. AAA Case No. 1-D-8, 5 p.

75 Ohio University and AFSCME.

No "understanding" was violated when senior employee applying for promotion was not promoted. There is no contractual obligation to post jobs or award job to senior applicant. (August 17, 1969).
Arbitration in the Schools. AAA Case No. 2-M-23, 3 p.

76 Ohio University and AFSCME.

Contract clause makes seniority controlling factor in promotions when qualifications are equal. Management has no right to select "the most suitable employee". (July 11, 1970).
Arbitration in the Schools. AAA Case No. 9-M-6, 19 p.

77 Ohio University and AFSCME.

Although employee had at times performed work in another classification his work did not fit that occupation and management has discretion in determining which classification an employee belongs. (August 10, 1970).
Arbitration in the Schools. AAA Case No. 10-M-8, 9 p.

78 Ohio University and AFSCME.

University violated posting and bidding clause when it trained a junior employee for a higher position and then accepted her bid over two other senior employees who were not given training. (August 10, 1970).
Arbitration in the Schools. AAA Case No. 10-T-5, 8 p.

79 Ohio State University and AFSCME.

University is required to post vacant managerial and non-managerial positions. However, after employees bids university retains right to fill managerial positions at its discretion (April 26, 1971).
Arbitration in the Schools. AAA Case No. 21-T-18, 15 p. Full text at 56-LA-818 to 823.

80 Ohio University and AFSCME.

Students are excluded from contract terms, therefore, they can be retained as employees during lay-off of full-time workers. 1973-GERR-485: C-5. (FMCS File No. 72A/3748, August 28, 1972 by R. G. McIntosh, Arbitrator).

81 Ohio University and AFSCME.

Union contract requires that an employee who seeks a different job must be given preferential hiring over an outsider only if he has current seniority and current training for the new position and not that he will receive future training. 1973-GERR-528: C-3 to 4.

ARBITRATION AWARDS-OHIO (cont.)

82 University of Cincinnati and AFSCME.

College must first rehire previously laid off employees before hiring new employees. 1974-GERR-538: C-3.

83 Wilberforce University and Dayton Public Service Union.

Arbitrator clears grievant's record of all disciplinary actions except instant case and reduces 10-day suspension to 3 days. (December 5, 1973). 1974-GERR-552: C-3.

ARBITRATION AWARDS-PENNSYLVANIA

84 Drexel University and International Union of Operating Engineers.

University's delay by two days in recalling engineers who had honored a second union's picket line in violation of the contract is not a lockout on part of university. (May 7, 1973).
Arbitration in the Schools. AAA Case No. 44-O-7, 10 p.

85 Northampton County Area Community College and Teamsters Union.

Arbitrator rules that custodians should be paid $2.32/hour for a two-month probationary period and thereafter $2.67/hour. College cannot meet this obligation by paying them $2.52/hour from date of hire. (November 21, 1973). 1974-GERR-552: C-3.

86 Pennsylvania State University and Scholastic Technical - Service Employees, Teamsters.

A grievance over whether the university had just cause to discharge a janitor for alleged theft of school property was arbitrable. (August 30, 1971).
Arbitration in the Schools. AAA Case No. 27-AD-6, 16 p.

87 Temple University and United Plant Guard Workers of America.

Discharge upheld of campus security officer who upon being directed not to punch in when he arrived over an hour late for his regular work shift, lost control of his judgement. (February 15, 1971).
Arbitration in the Schools. AAA Case No. 18-D-1, 8 p.

ARBITRATION AWARDS-PENNSYLVANIA-(cont.)

88 University of Pennsylvania and Marie Young.

Dining Hall supervisor who was transferred failed to prove that it was racially motivated. University also failed to produce documentation that she was not punctual and failed to do her job properly. (February 5, 1970). Arbitration in the Schools. AAA Case No. 2-EM-15, 8 p.

89 University of Pittsburgh - SEIU v. Retail, Wholesale and Department Store Union.

Inter-union dispute over RWDSU's violation of AFL-CIO constitution by acts of organizing and demanding recognition as agent of service and maintenance employees at nurses' building which constitutes accretion to SEIU's existing bargaining unit. (April 10, 1970). Full text at 55-LA-37 to 39.

ARBITRATION AWARDS-WISCONSIN

90 Mount Mary College and Operating Engineers Union.

Employer waived time limits for filing written grievance over unilateral discontinuance of housing allowance practice. Allowance was reinstated. (January 25, 1965). Full text at 44-LA-66 to 76.

91 University of Wisconsin - AFSCME v. Building Service Employees International Union.

Inter-union dispute - BSEIU violated AFL-CIO internal disputes plan by attempting to organize employees who had signed checkoff authorizations for AFSCME. (February 27, 1967). Full text at 50-LA-675 to 6.

92 University of Wisconsin and AFSCME.

University must give overtime work to full-time employees and not to part-time employees who are not part of the bargaining unit. (January 12, 1970). Arbitration in the Schools. AAA Case No. 4-W-8, 5 p.

93 University of Wisconsin and AFSCME.

Police officer's submission of exaggerated and disrespectful report is violation of established work rule. 1974-GERR-538: C-4.

ARBITRATION AWARDS-WISCONSIN (cont.)

94 University of Wisconsin, Kent H. Mayes and John C. Weaver.

Policeman was not laid-off for just cause. Ordered reinstatement without loss of seniority and with back pay. (State Personnel Board, Case No. 73-112, December 20, 1973). 1974-GERR-552: C-4.

ARBITRATION/FACT-FINDING AWARDS-CALIFORNIA

95 State Center Community College - Certified Employee Council and Board of Trustees (Arthur B. Jacobs, Chairman)

"Three-member fact-finding committee issues report covering wages, transfer policy and study committees." Total quote. (June 9, 1972) 1973-GERR-491: C-1.

ARBITRATION/FACT-FINDING AWARDS-MICHIGAN

96 Lake Michigan College and Federation of Teachers, Maintenance Employee Chapter.

New contract terms are arranged for college maintenance employees. (January 5, 1972).
Arbitration in the Schools. AAA Case No. 29-C-21, 21 p.

97 Macomb County Community College District and AFSCME.

Fact-finder recommended contract terms which included across-the-board salary increases, cost of living adjustment and longevity plan. (December 28, 1973).
Arbitration in the Schools, 49:8, March 1, 1974. AAA Case No. 49-C-22, 6 p.

ARBITRATION/FACT-FINDING AWARDS-NEW YORK

98 CUNY - Board of Higher Education of New York City and AFSCME.

Employees should be eligible for the six month service increase only if they worked for the six months immediately preceeding the effective date of the increase. (January 30, 1970).
Arbitration in the Schools. AAA Case No. 3-C-16, 7 p.

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ARBITRATION/FACT-FINDING AWARDS-NEW YORK (cont.)

99 CUNY - Board of Higher Education of New York City and AFSCME.

Fact-finder set minimum salaries and overtime for clerical and administrative personnel to be on a par with other city agencies. (November 5, 1969).
Arbitration in the Schools. AAA Case No. 4-C-27, 9 p.

100 Schenectady County Community College and Faculty Association.

Covers grievance procedures, sabbatical leave, professional obligations (i.e. end of calendar year), tenure, salary, promotion, health insurance. (November, 1971) NYS/PERB (not published). 44 p.

ARBITRATION PROCEDURES - RELATED REFERENCES

See:

101 Bibl. 2 - Coll. Barg. in Higher Educ. - 1974. pp. 17-19

COLLECTIVE BARGAINING

102 "New York City Board Identifies Mandatory Subjects of Bargaining for AFSCME, City of New York," 1974-GERR-547: B-9 to 12.

COLLECTIVE BARGAINING (Students)

103 "University of Colorado Food, Library Workers Win 35 cents/Hour After Strike." 1973-GERR-534: B-15 to 16.

Part-time food service and library employees, most of them students, win raise, but were unable to win recognition as a bargaining unit.

CONTRACTS

104 "Library Strike Ends at Syracuse University." Chronicle of Higher Education, 8(21):2, February 25, 1974.

A 58 day strike of non-professionals ends with new three-year contract for 5.5% pay raise.

CONTRACTS (cont.)

105 "LIU Wins First Checkoff Pact for Kansas U. Med. Center Unit." 1973-GERR-534: B-16 to 17.

106 "Ohio State University and OCSEA Sign First Pact for Non-academics." 1974-GERR-544: B-18.

107 "Toledo University Signs First Contract with OCSEA." 1974-GERR-543: B-19.

108 "U.S. Air Force Academy and AFGE Local 1867." 1973-GERR-521:2, Text on X-1 to 11.

COURT CASES - COLORADO

109 University of Colorado, et al. vs. The Colorado Civil Rights Commission.

Colorado District Court. Court finds that buyer was discriminated against and eventually fired because she was female. 1973-FEP Cases, 6:988-992.

COURT CASES - ILLINOIS

110 City Colleges of Chicago - Master Printers Assoc. v. Board of Trustees.

U.S. District Court, Illinois. Court denied the motion to dismiss action by Association and challenged the constitutionality of Board of Trustees' practice of restricting, to unionized firms only, the bidding for printing of educational materials. (February 28, 1973). 82-LRRM-3149-51.

COURT CASES - IOWA

111 Iowa State University, Regents vs. Packing House Workers.

Iowa District Court. Under laws of Iowa, State Board of Regents as a public employer, is neither required nor prohibited from entering into collective bargaining or collective bargaining agreement with union that represents state university non-academic employees. (June 12, 1968). 68-LRRM-2677-81.

COURT CASES - IOWA (cont.)

112 Iowa State University, Regents vs. Packing House Workers.

Iowa Supreme Court. Court holds that Iowa Board of Regents has implied power to engage in collective bargaining with the union i.e., as construed to mean that the Board may voluntarily meet, confer and consult with the union. The Court holds that the Board has no implied power to afford exclusive representation to one employee group and non-informational picketing of the university (by union members) for the purpose of coercing the Board to bargain collectively against its better judgment which is illegal and enjoinable. (February 10, 1970). 73-LRRM-2529-37.

COURT CASES - MASSACHUSETTS

113 University Hospital Labor Commission vs. Massachusetts Supreme Judicial Court.

Skilled tradesmen of maintencance departments of hospital constitute an appropriate bargaining unit. The short time-span between the order of the commission and the holding of the election in addition that the hospital's lawyer was absent during the election, did not amount to deprivation of the hospital's constitutional rights. (May 13, 1971). 77-LRRM-2374-77.

COURT CASES - MICHIGAN

114 Eastern Michigan University, Board of Control vs. Mediation Board.

Michigan Court of Appeals. Court affirmed declaratory judgment that Board of Control of Eastern Michigan University was a public employer and its non-teaching employees were public employees within the meaning of Michigan Act prohibiting strikes by public employees and providing that grievances be submitted to Michigan Labor Mediation Board. (July 30, 1969). 72-LRRM-2860-62.

115 Eastern Michigan University, Board of Control vs. Mediation Board.

Michigan Supreme Court. Court affirmed the decisions by the Circuit Court and the Court of Appeals that the Board of Control of Eastern Michigan University was a public employer within meaning of the Michigan Act regulating public employees. (April 5, 1971). 77-LRRM-2685-87.

COURT CASES - MICHIGAN (cont.)

116 Michigan State University, Board of Trustees vs. Mediation Board.

Michigan Supreme Court. Michigan Court of Appeals has jurisdiction to review a Michigan Labor Mediation Board determination of a collective bargainging unit for public employees and a Board order for a representation election. (June 10, 1968). 68-LRRM-2536-37.

117 Michigan State University vs. Employees Association.

Michigan Court of Appeals. It is within discretion of Michigan Employment Relations Commission to decide whether a university may allow withdrawal of challenges of employees eligibility over the protest of the union that was a party to the election. If employees eligible to vote in representation election did not comply with regulation rules of MERC, the remedy lies in a protest of the election. (Case No. 17006, December 6, 1973). 86-LRRM-2356-2358.

118 University of Michigan, Regents vs. Labor Mediation Board.

Michigan Court of Appeals. State University's non-academic employees are entitled to organize and bargain collectively with university, despite State Constitution provision giving university general supervision of institution. (July 30, 1969). 72-LRRM-2855-58.

119 University of Michigan, Regents vs. MERC.

Michigan Court of Appeals. While the Regents of the University of Michigan are "public employer," the interns, residents and post-doctoral fellows at the U.of M. Medical Center were not held to be "public employees." (January 21, 1972). 79-LRRM-3100-04.

120 University of Michigan.

"Interns Ruled Ineligible to Bargain with University." Chronicle of Higher Educ., February 7, 1972.

121 University of Michigan.

"Michigan Supreme Court Rules Interns Are Employees." 1973-GERR-495: B-8 to 9, Text E-1 to 4.

COURT CASES - MONTANA

122 Montana State Board of Education and Secretary of Labor Hodgson.

U.S. Dist. Court, Dist. Montana. Female housekeepers perform equal jobs as male custodians and therefore it is a violation of Fair Labor Standards Act to pay them at a lower rate than that of the men, under the acts equal pay sections. (January 20, 1972). 20-WH Cases-438 to 440.

COURT CASES - NEVADA

123 University of Nevada vs. State of Nevada Employees Assn., Inc., et al. 1974-GERR-553: B-12 to 14.

Nevada Supreme Court finds economy (retrenchment) justifies government's discharging public employees and subcontracting out their services. 90-Nev., Advance Opinion 36, March 26, 1974.

COURT CASES - NEW YORK

124 Barnard College vs. Transport Workers.

U.S. District Court. Southern District of New York. Employer is entitled to injunctive relief restraining union from honoring picket line established by another union and requiring union to submit dispute over scope of no-strike clause to arbitration. Case No. 74 Civil 450. (February 4, 1974). 85-LRRM-2392-4.

125 Columbia University, Walker vs. Transport Workers Union.

U.S. District Court. Southern District of New York. Individuals may not maintain their title VII action against employer and union as class action for (1) failure to make timely motion (2) lack of valid excuse thereof and (3) inadequacy of representation. Case No. 73, Civ. 2687-LFM. (January 21, 1974). 7-FEP CASES-100-1.

126 Long Island College, College Hospital vs. Catherwood.

New York Court of Appeals. Court granted an order permanently staying arbitration order by New York Industrial Commissioner until union's certification has been judicially reviewed and found valid and enforceable. (November 7, 1968). 69-LRRM-2605-12.

COURT CASES - NEW YORK (cont.)

127 Long Island College, College Hospital vs. New York S.L.R.B.

New York Supreme Court, Appellate Division. New York State Labor Relations Board's certification of union that won representation election and its order directing employer to cease and desist from its refusal to bargain with union are unsupported by substantial evidence. Order of NYSLRB is annulled, and new elections ordered. (June 5, 1972). 80-LRRM-3375-76.

128 Long Island College Hospital vs. New York Labor Board and Hotel, Hospital, etc - SEIU.

New York Court of Appeals. Board's determination of bargaining unit of skilled maintenance employees was not arbitrary or capricious. Language, form and tally of the ballots were proper and valid. Union's campaign literature did not contain misrepresentation. Case No. 600. (May 3, 1973). 85-LRRM-2580-6. Summary in LRR-News and Background Information, 85-LRR-26 to 7. Petition for writ of certiorari denied by order of the U.S. Supreme Court. Case No. 73-1081. (March 4, 1974). 85-LRRM-2586.

COURT CASES - NORTH CAROLINA

129 Duke University and Secretary of Labor Hodgson.

U.S. Dist. Court. Mid. Dist. N. Carolina. "University is not a retail establishment" and therefore was subject to minimum wage and overtime requirements of the Fair Labor Standards Act as those requirements were prior to February 1, 1967. After this date they are liable under "enterprise" coverage. (April 23, 1971). 20-WH Cases-362.

130 Duke University and Secretary of Labor Hodgson.

U.S. Court of Appeals, 4th Circuit Richmond. Court of Appeals upholds lower court view that university is not a retail establishment since it lacks a retail concept. (May 16, 1972). 20-WH Cases-624 to 627.

COURT CASES - OHIO

131 Kent State University, State of Ohio, ex. rel. Herschel M. Sigall, a Taxpayer, vs. Aetna Cleaning Contractors of Cleveland, Inc. et.al. 1974-GERR-553: B-12 to 14.

Ohio trial court judge says economy (retrenchment) cannot be used to avoid civil service law. Cuyahoga County Court of Common Pleas, Case No. 914,379, March 15, 1974.

COURT CASES - PENNSYLVANIA

132 Einstein Medical Center vs. Labor Board

Pennsylvania Court of Common Pleas. Pennsylvania Labor Relations Board held that hospital interns, residents and clinical fellows are "public employees" within meaning of Pennsylvania Public Employee Relations Act even though part of relationship between these personnel and hospitals is educational. (August 30, 1973). 86-LRRM-2440-2444.

133 Grove City College and Secretary of Labor Hodgson.

U.S. Dist. Court, Western Dist. Penn. Equal pay provisions of Fair Labor Standard Act prohibit sex discrimination within any "establishment". Court held that this includes two separate buildings of college located on one campus. (August 3, 1971). 20-WH Cases-163 to 167.

134 Temple University and Love, IBUE.

U.S. Dist. Court Eastern Dist. Pennsylvania. Employer cannot claim that union forced it to pay differential wages and that therefore the union is liable for any damages arising from employees suit. (October 25, 1973). 21-WH Cases-403 to 409.

135 Waynesburg College and Secretary of Labor Hodgson.

U.S. Dist. Court, Western Dist. Pennsylvania. College nurse who lives on campus and who was "on call" for the entire day is entitled to overtime pay for such hours when total hours worked exceeded 40 hours each workweek. (July 22, 1971) 20-WH Cases-142 to 146.

COURT CASES - TENNESSEE

136 Meharry Medical College and Secretary of Labor Hodgson.

U.S. Dist. Court, Mid. Dist. Tennessee. Hospital which pays female nurse aides less than male nurse attendants are violating equal pay provisions of Fair Labor Standards Act since the jobs are essentially equal. (October 12, 1971). 20-WH Cases-248 to 251.

COURT CASES - WISCONSIN

137 University of Wisconsin and Secretary of Labor Hodgson.

U.S. Dist. Court, Western Dist. Wisconsin. Hospital is not entitled to detailed listing of alleged violations of Fair Labor Standards Act. Hospital is able, from its own records, to either admit or deny the allegations. (October 24, 1972). 20-WH Cases-1019 to 1020.

FRINGE BENEFITS

138 "University of Iowa Merit System Called Outdated." 1973-GERR-533: B-15.

MEDIATION

139 "FMCS Conference Views Differences in Public, Private Sector Mediation." 1973-GERR-529:2, B-4806.

MERGERS

140 "Ohio's State Employees Union Disaffiliates From AFSCME" to join with the Ohio Civil Service Employees Assn. into the new Ohio Government Employees Labor Alliance. 1973-GERR-505: B-7.

NLRB DECISIONS - ALABAMA

141 Tuskegee Institute and Laborers' International Union of North America.

Bargaining units of "auxiliary enterprises division" and "physical plant department" shall include employees working at mailroom, snackbar and bookstore, stationary engineers and stationary firemen. All otherwise-eligible voters in

NLRB DECISIONS - ALABAMA 141 (cont.)

campus powerplant department can cast ballot subject to challenge. Case No. 15-RC-5188. (March 19, 1974). 209-NLRB-113. 86-LRRM-1082 to 5.

NLRB DECISIONS - CALIFORNIA

142 California College of Podiatry Medicine and Hospital and Institutional Workers' Union, SEIU.

Election will not be directed in union's requested unit of employees in not-for-profit corporation, consisting of combined educational institution and hospital. (March 10, 1972). 79-LRRM-1511-12.

143 California Institute of Technology and Teamsters, Chauffers, Warehousemen and Helpers of America, and International Union of Operating Engineers.

Directed election in voting group of employees in "central plant section." Union's requested unit of employees in "shop services" and "administrative services" sections of university's eight-section "physical plant service department" is not appropriate. Directed elections in voting group of employees in university's "physical plant services department." (August 11, 1971). 77-LRMM-1849-52.

144 Claremont Colleges and OPEIU.

Bargaining unit covers all full-time and part-time employees of the Honnold Library system; i.e. professional and non-professional librarians. NLRB Decision, Case No. 21-RC-12197 (1972).

145 Leland Stanford Jr. University and Freight Checkers, Clerical Employees and Helpers, and Interntational Assoc. of Firefighters, and Police Officers Assoc., and California School Employees Assoc. and Stanford Employees Assoc.

Unit of physical plant department employees is not appropriate. Units of maintenance personnel in some twenty departments not appropriate. Election diverted for university's employees engaged in service, maintenance and technical functions. Unit of employees in university's police department and fire department is appropriate. Regular part-time employees eligible to vote in representation election. (January 20, 1972). 79-LRRM-1356-62.

NLRB DECISIONS - CALIFORNIA (cont.)

146 University of the Pacific and Service Employees International Union.

Employer interfered with representation election. Appropriate remedial action issued. Election set aside and second election directed. (October 25, 1973). 206-NLRB-70. 84-LRRM-1554 to 55.

NLRB DECISIONS - ILLINOIS

147 Illinois Institute of Technology and Claude Murphy.

Employer did not violate LMRA when following discharge of employee, management official declared that employee previously caused "trouble". Statement was not found to be coercive. (February 11, 1972). 79-LRRM-1344-45.

148 Loyola University Medical Center and IBEW.

Dismissed Union's requested unit of electrical maintenance employees at non-profit university's medical center. The university, insofar as it furnishes hospital services, is excluded from NLRB's jurisdiction. (November 18, 1971). 78-LRRM-1551-53.

149 University of Chicago.

The Board agrees with an Administrative Law Judge's unfair labor practice findings in connection with the employer's unilateral transfer of fourteen janitors during a contract term from one bargaining unit to a bargaining unit represented by AFSCME. (April 26, 1974, 13-CA-10848; 210 NLRB No. 19).

Weekly Summary of NLRB Cases, W-1388:7, May 1, 1974. Full text at 86-LRRM-1073 to 76.

NLRB DECISIONS - INDIANA

150 University of Evansville.

Employees of the physical plant department, union building and student housing shall vote for representation by the Laborers Local 561, Teamsters Local 215 or by neither.

Weekly Summary of NLRB Cases, August 22, 1973, P. 33. (Decision 25-RC-5417. August 7, 1973).

NLRB DECISIONS - KENTUCKY

151 Georgetown College and AFSCME.

Direction of election for full and part-time service, maintenance and night watchman. Case 9-RC-10362, January 14, 1974. Full citation from:

Weekly Summary of NLRB Cases, W-1375, January 30, 1974. p. 34.

NLRB DECISIONS - LOUISIANA

152 Tulane University and S.E.I.U.

Jurisdiction is asserted and election is directed for unit of non-academic wage employees at main campus and university's three other facilities. (February 4, 1972). 79-LRRM-1366-68.

NLRB DECISIONS - MAINE

153 Bowdoin College and Industrial Union of Marine and Shipbuilding Workers of America.

Inclusion of fraternity chefs and kitchen helpers in the unit since the college is at the very least joint employer of fraternity chefs and kitchen helpers. (April 29, 1971). 77-LRRM-1167-69.

NLRB DECISIONS - MASSACHUSETTS

154 Berklee College of Music, Inc.

Direction of election of all full-time and regular part-time janitors, maids, painters, carpenters and heating, ventillating and air-conditioning men shall vote for representation by Service Employees Local 254, or for no representation. (1-RC-13254).

Weekly Summary of NLRB Cases, W-1394:28, June 12, 1974.

NLRB DECISIONS - MASSACHUSETTS (cont.)

155 Boston College and Building Service Employees' International Union.

Parties are advised that the Board would assert jurisdiction over Boston College's operations. (Boston College's gross annual revenue exceeds $1 million and the college puchased materials, books and supplies which were manufactured outside Massachusetts). (December 10, 1970.) 75-LRRM-1532-33.

156 Boston University, Trustees of and Building and Service Employees.

Decision of Administrative Law Judge, Paul Bisgyer. Case 1-CA-9296; JD-37-74, January 29, 1974. No further information cited in:

Weekly Summary of NLRB Cases, W-1376, February 6, 1974, p. 28.

157 Boston University, Trustees of, vs. Building and Service Employees.

The Board concurred with an Administrative Law Judge's finding that, by refusing to supply certain requested material to union during the second and third steps of a grievance procedure and the pendency of an arbitration proceeding, the employer breached its bargaining obligation in violation of the Act. (1-CA-9296; 210 NLRB No. 48). Full text at:

Weekly Summary of NLRB Cases, W-1389:1-2, May 8, 1974, and 86-LRRM-1336.

158 Garland Junior College and Cooks and Pastry Cooks Association.

Parties are advised that the Board would assert jurisdiction over the college's operations. The college's annual revenue exceeds $1 million and purchases of books, supplies and food constitutes direct and indirect inflow which establishes NLRB's jurisdiction. (February 3, 1971). 76-LRRM-1323-24.

NLRB DECISIONS - MASSACHUSETTS (cont.)

159 Mount Holyoke College and International Brotherhood of Police Officers.

NLRB declares that a full hearing and not merely an advisory opinion is needed to determine jurisdictional claims of colleges security guards who also serve as special police officers for the locality. December 5, 1973. 207-NLRB-No. 121. 84-LRRM-1605 to 06.

160 Worcester Polytechnic Institute and Building Service Employees' International Union.

NLRB has power to eliminate guards from a bargaining unit even though they were included by a state labor relations commission at a time when the NLRB declined to assert jurisdiction over private non-profit universities. (December 20, 1973. Case No. 1-UC-125, 207-NLRB-157). 85-LRRM-1045 to 6.

161 Worchester Polytechnic Institute, Building Service Employees.

(1-CA-9590; JD-355-74). Decision of Administrative Law Judge J. A. Harmatz.

Weekly Summary of NLRB Cases, W-1393:38, June 5, 1974.

NLRB DECISIONS - MISSOURI

162 Washington University and Service Employees Union.

The Board ordered the employer to cease interfering with, restraining or coercing, employees in the exercise of their organizational rights. Ordered the employer to offer full and immediate reinstatement of said employee to his place of work. (August 27, 1973).

Weekly Summary of NLRB Cases, W-1355:22, September 12, 1973. NLRB Decision, Case No. 14-CA-7259, 7413; DS-494, August 27, 1973.

NLRB DECISIONS - NEW YORK

163 Barnard College and Distributive Workers of America.

Student employees are excluded from a unit of the college's office clerical and non-professional administrative staff employees. (July, 1973). 83-LRRM-1483 to 85.

164 Barnard College.

"Student Clerks Barred from Bargaining Unit," since they lack community of interest. Chronicle of Higher Educ., 7(39):1, July 30, 1973.

165 Columbia University, Trustees of.

The N.L.R.B. refused to assert its jurisdiction over the clerical employees of the Columbia Library. 97-N.L.R.B.-424(1951). This is the first N.L.R.B. decision for a Univ.

166 Cornell University and Chauffeurs, Teamsters, Warehousemen and Helpers Union.

Election directed of unit comprised of university's dining facilities personnel on main campus. Excluded student employees from unit of dining facilities employees (March 8, 1973). 82-LRRM-1614-17.

NLRB DECISIONS - NORTH CAROLINA

167 Duke University - AFSCME and National Union of Hospital and Nursing Home Employees.

Dismissed the union's requested unit consisting mainly of "bi-weekly" service employees who spend over 50 percent of their time working in the university non-profit hospital. (November 18, 1971). 78-LRRM-1547-51.

168 Duke University and International Union of Operating Engineers.

Campus-wide unit of maintenance employees of private non-profit university is appropriate for bargaining. Excluded from the unit are employees in a given classification who, taken as a group, spend more than 50 percent of their time in hospital (exempt from NLRB jurisdiction) or hospital related facilities. (November 7, 1972). 81-LRRM-1488-91.

NLRB DECISIONS - OHIO

169 Mount Union College.

All maintenance employees shall vote whether they desire representation or not.

Weekly Summary of NLRB Cases, August 22, 1973, p. 30. (Decision 8-RC-9132. August 10, 1973).

NLRB DECISIONS - OKLAHOMA

170 The University of Tulsa and operating Engineers.

All operation and maintenance employees who operate and maintain the boilers and air conditioners shall vote for representation or no representation. (16-RC-6565).

Weekly Summary of NLRB Cases, W-1391: 24, May 22, 1974.

NLRB DECISIONS - PENNSYLVANIA

171 Duquesne University and General Teamsters, Chauffeurs and Helpers Union.

University violated LMRA by assisting "employee committee" but its relationship with the committee did not constitute unlawful "domination." University is ordered to cease and desist from recognizing committee unless and until certified. (August 14, 1972). 81-LRRM-1091-1094.

172 Duquesne University of the Holy Ghost.

Direction of election of all building attendants shall vote for representation by service employees' International Union or for no representation. (6-RD-463).

Weekly Summary of NLRB Cases, W-1393:42, June 5, 1974.

NLRB DECISIONS - PENNSYLVANIA (cont.)

173 Temple University and Wholesale, Retail, Office and Processing Union, National Council of Distributive Workers of America.

NLRB will not assert jurisdiction over Temple University as the 1965 Pennsylvania statute established the university as a "quasi-public" educational institution. (January 19, 1972). 79-LRRM-1196-99.

NLRB DECISIONS - WASHINGTON D.C.

174 George Washington University and Retail Store Employees Union.

Dismissed union's request for a unit of employees in university's bookstore. They do not have a community of interest sufficiently separate from that of other non-academic employees. (June 14, 1971). 77-LRRM-1353 to 55.

175 George Washington University.

All transportation employees shall vote for representation by Teamsters Local or for no representation. October 10, 1973, Case 5-RC-8668.

Weekly Summary of NLRB Cases, Oct. 24, 1973, p. 22.

176 Howard University and Teamsters.

Board dismissed teamsters' petition for bargaining rights with employees due to the university's relationship with the Federal Government, i.e. receipt of funds from Congress, Office of Management and Budget has a say in Howard's annual budget request, follows government pattern in pay and fringes. Abstract in 1974-GERR-561: C-2. Full text at 86-LRRM-1389 to 92.

PERB DECISIONS - HAWAII

177 "HPERB Asks Employees and Unions to Rethink Job Classes Originally Excluded from Units." 1974-GERR-540:2, B-5 to 7.

Includes U. of Hawaii. (State of Hawaii & HGEA, AFSCME: HPERB, Case Nos. RA-03-8, RA-13-9, Dec. No. 40 December 28, 1973.)

PERB DECISIONS - KANSAS

178 "Fort Hays State College, and Laurence and Kansas University Medical Center, Kansas City."

Separate blue collar units ruled appropriate. 1973-GERR-487: B-3.

179 Kansas State College of Pittsburgh and PEAK.

PEAK is certified as representative of certain office and secretarial employees by vote of 27 to 24. (Case No. UE 29-1973, November 6, 1973). 1974-GERR-546: C-1.

PERB DECISIONS - MICHIGAN

180 Charles Stewart Mott Community College and (College Secretarial Association and Secretaries Union, S.E.I.U.

S.E.I.U. certified as representative of all office clerical employees. (Case No. R74B-68, April 15, 1974). 1974-GERR-534: C-3.

181 Eastern Michigan University and AFSCME, AFL-CIO.

The Board asserted jurisdiction over the University and directed election in unit of employees in maintenance and sanitation operation. (Case No. R65-K-286, November 16, 1966). 64-LRRM-1396 to 97.

182 Michigan State University and MSU Employees Assn. and AFSCME State Council.

MSU Employees Assn. certified as representative of all regular clerical and technical employees, over AFSCME. (Case No. R72H-292, March 26, 1974). 1974-GERR-554: C-2.

PERB DECISIONS - MICHIGAN (cont.)

183 Oakland Community College and Operating Engineers.

Union is certified as representative of all mechanical and plant supervisors. (Case No. R74A-19, February 25, 1974). 1974-GERR-554: C-2.

184 University of Michigan and Benevolent Order of Guides in Extremis.

Petition by association to represent 32 student employees rejected because of the resulting fragmentation from the student employee work force. 1973-GERR-532: C-2.

PERB DECISIONS - MINNESOTA

185 Bemidji State College and Minnesota State Employees Union, AFSCME.

AFSCME certified as representative of all classified employees. (Case No. 74-PR-48-A, November 19, 1973 by Minnesota Bureau of Mediation Services). 1974-GERR-546: C-4.

186 University of Minnesota and AFSCME.

Found the appropriate bargaining unit for university employees should include all service and support employees at the metropolitan campus and surrounding metropolitan area. (February 27, 1973). Case No. 72-PR-1469. 1973-GERR-523: C-2.

187 University of Minnesota and Minnesota Teamsters Public and Law Enforcement Employees Union and AFSCME.

Teamsters Public and Law Enforcement Employees Union is certified over AFSCME as exclusive representatives of service and support employees of Univ. of Minn. after election. (Case No. 73-PR-544-A, September 10, 1973 by Minn. Bureau of Mediation Services). 1974-GERR-546: C-2 to 3.

PERB DECISIONS - MINNESOTA (cont.)

188 Winona State College and AFSCME.

Decertification petition filed by spokesman for group of state employees by AFSCME. (Case No. 74-PR-14-A, October 5, 1973 by Minn. Bureau of Mediation Services). 1974-GERR-546: C-3.

PERB DECISIONS - NEW YORK

189 Colgate University - Service Employees International Union.

Directed a representation election for unit of service and maintenance employees (excluding from unit the supervisory, clerical and professional employees, students and the mailroom and bookstore employees). Equipment room workers directed to determine whether or not they wish to be represented by local.(August 8, 1969). Decisions and Orders of NYSLRB, 32: 313-319, 1969. 32-SLRB No. 66, Case No. CE-1466.

190 Columbia University - Drug and Hospital Employees Union.

Certified Union as the exclusive representative of full-time and regularly employed part-time technical employees and ordered a hearing on status and unit placement of physical therapists. (August 16, 1967). Decisions and Orders of NYSLRB, 30: 273-274, 1967, 30-SLRB No. 58, Case No. SE-41419.

191 Columbia University and Drug and Hospital Employees Union, AFL-CIO and New York Chapter of the American Physical Therapy Association, Inc.

Ordered an election to determine whether the licensed physical therapists desire a separate unit and, if such separate unit is established, whether or not they desire to be represented by the New York Chapter of A.P.T.A. (November 15, 1967). Decisions and Orders of NYSLRB, 30:364-369, 1967, 30-SLRB No. 77. Case No. SE-41419.

PERB DECISIONS - NEW YORK (cont.)

192 Columbia University - College of Physicians and Surgeons and Drug and Hospital Union and Supporting Staff Assn. of College of Physicians and Surgeons.

Ordered that challenges to the ballots of 3 employees are sustained. Certified the Supporting Staff Assn. as representative of all full-time and regular part-time service employees. (February 5, 1970).
Decisions and Orders of NYSLRB, 33:23-28, 1970, 33-SLRB No. 7, Case No. SE-43069.

193 Cornell University and Tompkins-Cortland County Building Trades Council, Maintenance Division.

Directed a representation election for unit of employees consisting of electricians-welders, painters, plumbers and and steamfitters, carpenters, masons, sheet metal workers, including journeymen and apprentices. (June 6, 1969).
Decisions and Orders of NYSLRB, 32:202-203, 1969, 32-SLRB No. 48, Case No. WE-1601.

194 Hamilton College and Service Employees International Union.

Directed a representation election for the unit of service and maintenance employees (excluding administrative, security, professional, suprevisory, clerical, food service, mail-room and book store, employees and students). (Jan. 13, 1970).
Decisions and Orders of NYSLRB, 33:5-8, 1970, 33-SLRB No. 3 Case No. CE-1478.

195 Ithaca College and Brotherhood of Painters, Decorators and Paperhangers of America, AFL-CIO.

Dismissed the union's petition for a separate unit on the grounds that the painters in the college's operation division did not constitute an appropriate unit. (February 5, 1970).
Decisions and Orders of NYSLRB, 33:18-22, 1970, 33-SLRB No. 6, Case No. WE-1595 (1).

PERB DECISIONS - NEW YORK (cont.)

196 Le Moyne College and International Brotherhood of Painters and Allied Trades.

Directed a representation election for a unit of all full-time and regular part-time service, custodial and maintenance employees. (June 23, 1970).
Decisions and Orders of NYSLRB, 33:270-273, 1970, 33-SLRB-No. 48, Case No. CE-1492.

197 Long Island College Hospital and Drug and Hospital Union, AFL-CIO.

Directed a representation election for the unit of full-time and regular part-time service employees. (June 11, 1969).
Decisions and Orders of NYSLRB, 32:210-215, 1969, 32-SLRB, No. 51, Case No. SE-43111.

198 Long Island College Hospital and House Staff Association of the Long Island College Hospital.

Concluded that the House Staff Association constituted a labor union. Found that the interns, residents, chief residents and fellows constitute an appropriate bargaining unit. Election directed (April 29, 1970).
Decisions and Orders of NYSLRB, 33:161-180, 1970, 33-SLRB, No. 32, Case No. SE-42965.

199 Long Island University, C.W. Post College and Service Employees International Union, AFL-CIO, and International Union of Operating Engineers.

Found that the position of sewage disposal plant operator was to be included in the maintenance unit. Petition to establish a new unit dismissed. (June 23, 1970).
Decisions and Orders of NYSLRB, 33:274-277, 1970, 33-SLRB No. 49, Case No. SE-43321.

200 New York University Medical Center and Steel, Metals, Alloys and Hardware Fabricators and Warehousemen, IBT and Maintenance Division of Building and Construction Trades Council of Greater New York, and Building Service Employees International Union, AFL-CIO.

Found appropriate unit of all full-time and regular part-time skilled plant and maintenance department employees. Directed a representation election. (August 8, 1967). Decisions and Orders of NYSLRB, 30:259-266, 1967, 30-SLRB No. 55, CASE No. SE-41156.

201 New York University Medical Center and Drug and Hospital Employees Union, AFL-CIO.

Directed an election to determine whether the full-time and regular part-time senior social workers and social workers desire a separate unit. (March 29, 1968). Decisions and Orders of NYSLRB, 31:104-108, 1968, 31-SLRB No. 24, Case No. SE-41737.

202 New York University Medical Center and I.B.T. and Drug and Hospital Employees Union, R.W.D.S.U., and Cafeteria Workers Union.

Found that the unit limited to food service employees, separate and apart from general service employees, was not appropriate. (October 18, 1968). Decisions and Orders of NYSLRB, 31:373-380, 1968, 31-SLRB No. 80, Case No. SE-41976.

203 New York University and Office and Professional Employees International Union.

Dismissed the union's petition to organize the unit limited to office and clerical employees in the University's School of Education. (November 5, 1969). Decisions and Orders of NYSLRB, 32:425-431, 1969, 32-SLRB No. 89, Case No. SE-43124.

PERB DECISIONS - NEW YORK (cont.)

204 New York University and Wholesale, Retail, Office and Processing Union, a/w National Council of Distributive Workers of America and Office and Professional Employees International Union and United Federation of College Teachers, A.F.T.

Found appropriate a unit of all office and clerical employees, technical employees and administrative employees. Directed an election (May 13, 1970).
Decisions and Orders of NYSLRB, 33:230-235, 1970, 33-SLRB No. 38, Case No. SEE-44004.

205 New York University and Wholesale, Retail, Office and Processing Union, a/w National Council of Distributive Workers of America and Office and Professional Employees International Union.

State Board no longer had jurisdiction over New York University. Petition dismissed (September 4, 1970).
Decisions and Orders of NYSLRB, 33:394-402, 1970, 33-SLRB No. 73, Case No. SEE-44004.

206 Skidmore College and Service Employees International Union and Hotel, Motel and Restaurant Employees and Bartenders Union.

Found appropriate a unit of all full-time and regular part-time service and maintenance employees. Election directed. (April 24, 1970.)
Decisions and Orders of NYSLRB, 33:181-185, 1970, 33-SLRB No. 33, Case No. CE-1491.

207 Syracuse University and Service Employees International Union.

Found appropriate the unit of all full-time and regular part-time service and maintenance employees. Election directed. (June 17, 1969).
Decisions and Orders of NYSLRB, 32:216-220, 1969, 32-SLRB No. 52, Case No. CE-1465.

PERB DECISION - NEW YORK (cont.)

208 Syracuse University and Service Employees International Union and Hotel, Motel, Restaurant and Cafeteria Employees and Bartenders Union.

Found appropriate the unit of all full-time and regular part-time employees in the food service department of the University. Directed election. (February 13, 1970). Decisions and Orders of NYSLRB, 33:41, 1970, 33-SLRB No. 10, Case No. CE-1485, CE-1486.

209 SUNY (New Paltz) and Faculty Student Association, Teamsters and C.S.E.A.

Found appropriate the unit of all full-time and regular part-time food service, bookstore and office employees, and all employees at Ashokan Campus. Directed and election. (November 12, 1969).
Decisions and Orders of NYSLRB, 32:453-463, 1969, 32-SLRB No. 91, Case No. CE-1469.

210 Tompkins-Cortland Community College and C.S.E.A.

Designation cards submitted by 14 members of 27-member unit constitute sufficient evidence for certification without election. (Case No. C-0850, October 30, 1972).
Official Decisions, Opinions and Related Matters - Public Employment Relations Board of the State of New York. Secretary of State, State of New York. 5-3055.2, 1 pp. (Back reference: 5-PERB-4061).

211 Tompkins-Cortland Community College and Civil Service Employees Association (C.S.E.A.).

Certified an appropriate collective bargaining unit of staff (non-professional) employees. (Case No. C-0850, October 2, 1972.)
Official Decisions, Opinions and Related Matters - Public Employment Relations Board of the State of New York. Secretary of State, State of New York. 5-4033, 2 pp.

PERB DECISIONS - NEW YORK (cont.)

212 Wagner College and International Union of Operating Engineers, AFL-CIO.

Overruled the union's objections to the election - as a majority of the valid votes cast were against union representation. (March 4, 1970).
Decisions and Orders of NYSLRB, 33:60-64, 1970, 33-SLRB No. 12, Case No. SE-43237.

213 Yeshiva University - Albert Einstein College of Medicine and Committee of Interns and Residents of New York City.

Directed a representation election for unit of employees consisting of all interns, residents, and physicians performing the functions of an intern or resident. (October 14, 1970).
Decisions and Orders of NYSLRB, 33:465-468, 1970, 33-SLRB No. 86, Case No. SE-43592.

PERB DECISIONS - OREGON

214 University of Oregon Dental School and AFSCME.

Denied the union's petition for a bargaining unit of custodial workers, carved out of Oregon State Employees Association. (October 5, 1972). Case No. C-82, 1973-GERR-488:C-3.

215 University of Oregon Medical School and AFSCME.

Board directs election in unit composed of "all classified employees of the University Medical School - Portland Campus". Employees will decide between AFSCME and Oregon State Employees Association. (October 4, 1972) Case No. C-83 1973-GERR-488:C-3.

216 University of Oregon Medical School and AFSCME.

Found that the university did not bargain in good faith when it unilaterally instituted 3.2% wage increase and ordered raise comparable to other similar employees throughout state. (December 18, 1972). Case No. C-85.1973-GERR-499:C-5.

217 Medical College, Hospital of Pennsylvania and National Union of Hospital and Nursing Home Employees.

Board certified union as representative of unit comprised of all licensed practical nurses. (Case No. PERA-R-3627-E, September 7, 1973). 1974-GERR-546:C-5.

218 Temple University and International Brotherhood of University Employees.

Board rules to include four university employed clerks and six postal clerks in the unit represented by the Brotherhood. (Case No. PERA-U-2583-E thru PERA-U-2586-E, April 3, 1973). 1973-GERR-514: C-3.

219 Temple University - Health Science Center and National Union of Security Officers and Guards.

Board directs election in unit composed of "all non-supervisiory security guards employed at the Health Sciences Center." PLRB concludes a separate unit of security guards is justified (May 25, 1973). Case No. PERA-R-2285-E. 1973-GERR-523: C-3.

220 Temple University Health Science Center and RWDSU.

Bargaining unit of social workers at Temple University Health Science Center is not appropriate. Board finds that granting a request for a separate unit would result in over fragmentation. (Case No. PERA-R-3262-E, July 13, 1973). 1974-GERR-546: C-5.

221 Thomas Jefferson University and Pennsylvania Society of Hospital Pharmacists.

Board certified union as representative of all full-time and regular part-time pharmacists. (Case No. PERA-R-2831-E, December 4, 1973). 1974-GERR-546: C-7.

PERB DECISIONS - PENNSYLVANIA (cont.)

222 University of Pennsylvania - Hospital and United Plant Guard Workers.

Board certified union as representative of all security guards including guards and corporals but excluding all part-time security guards, sergeants, lieutenants and the Director of Security. (Case No. PERA-R-3558-E, September 12, 1973). 1974-GERR-546: C-5.

223 University of Pittsburgh and Printing Pressmen.

Turned down the petition of Pittsburgh Printing Pressmen. The University's printing department employees did not constitute craft unit. (April 27, 1973. Case No. PERA-R-2436-W.) 1973-GERR-514: C-3.

PERB DECISIONS - WISCONSIN

224 District One and Technical Institute Staff.

Commission directs that unit shall consist of all office, clerical and related employees employed by District One. 1973-GERR-532: C-4.

PUBLIC SECTOR LABOR RELATIONS

225 See Bibl. 1 - Coll. Barg. in Higher Educ.- 1971-73 pp. 33-35, 50-51.
See Bibl. 2 - Coll. Barg. in Higher Educ.- 1974 pp. 77-79.

SALARIES

226 "AFSCME and Milwaukee (area) Technical College Sign New Agreement" with 10% pay increase over two years. 1973-GERR-514: B-14.

227 "AFSCME Will Demand 'Catch Up' Wages in New Contracts." 1974-GERR-538: B-15.

SALARIES (cont.)

228 CLC Orders Wage Rollback for Non-Academic School Employees. Higher Educ. Daily, September 14, 1973, P. 3.

229 "Hawaii's Public Employees Gain 5.5 to 7% Wage Hikes." 1973-GERR-522: B-13. Includes 5.5% for Univ. of Hawaii non-faculty.

230 "Striking MSU (Michigan State University) Workers Settle for 12.5% and Fringes" after two-week strike. 1973-GERR-514: B-13.

STRIKES

231 Columbia Cafeteria and Clerical Workers Strike. Higher Educ. Daily, September 11, 1973, P. 6.

232 "Non-Academic Employees Strike at Ohio University." Chronicle of Higher Educ., October 4, 1971.

233 "Non-Academic Employees Strike Ruled Illegal at University of N. Iowa." Chronicle of Higher Educ., June 8, 1970.

234 "Ohio State University Hospital Hit by Wildcat Strike." 1973-GERR-495: B-18.

235 "PERB Orders End to Wildcat at Kansas U. Medical Center." 1974-GERR-538: B-17 to 18.

236 Semas, P.W. "3 Colleges Settle Strikes." Chronicle of Higher Educ., 8(1):3, September 24, 1973.

Columbia University blue collar, and faculty at Wayne County Community College (Detroit), Westmoreland Community College (Penn.) and City Colleges of Chicago.

237 "Skilled, Unskilled Workers Join in Walkout at MSU." 1973-GERR-513: B-14.

238 "Strike Leaves 12 Tons of Garbage at Temple." Chronicle of Higher Educ., November 8, 1971.

STRIKES (cont.)

239 "Strike Settlement by Custodians at the University of Pittsburgh." 1974-GERR-541: B-16.

240 "Talks With Library Workers Continue at Syracuse U." and S.E.I.U. Chronicle of Higher Educ., 8(16):2, January 21, 1974.

241 "University of Delaware Ends One-Day Walkout" with a new one-year contract. 1973-GERR-517: B-18.

242 "U. of Washington Strike Fails to Accomplish Aims." Chronicle of Higher Educ., 8(16):2, January 21, 1974.

Legal action failed to halt implementation of new statewide job-classification system.

STUDENT EMPLOYMENT

243 "No Union at Ohio U. This Year; Student Employee Vote Falls Short." 1974-GERR-557: B-19.

244 "Ohio U. Student Workers End Strike, Back on Job." 1974-GERR-553: B-24.

245 "Students' Summer Jobs and Student Wages." News and Background Information, 86-LRR-157 to 8 (June 24, 1974).

UNIONS

246 "Ohio's State Employees Union Disaffiliates from AFSCME" to join with the Ohio Civil Service Employees Assn. into the new Ohio Government Employees Labor Alliance. 1973-GERR-505: B-7.

247 "OPEIU Convention" indicates there were 85,916 members thru year ending February, 1974, with membership increase dues to organizing in colleges and universities. News and Background Information, 86-LRR-159.

Abbreviations

AFGE - American Federation of Government Employees

AFSCME - American Federation of State, County & Municipal Employees

AFT - American Federation of Teachers

BNA - Bureau of National Affairs (Publishers FEP Cases, GERR, LA, LRR, LRRM, WH Cases)

BSEU - Building Service Employees Union

BSEIU - Building Service Employees International Union

CAPE - Coalition of American Public Employees

CLE - Cost-of-Living Council

CSEA - Civil Service Employees Association

DWA - Distributive Workers of America

FEP Cases - Fair Employment Practices Manual of Cases (Pub. by BNA)

GERR - Government Employee Relations Report (Pub. by BNA)

HGEA - Hawaii Government Employees Association

IBEW - International Brotherhood of Electrical Workers

IBT - International Building Trades Union

IBUE - International Brotherhood of University Employees

IUOE - International Union of Operating Engineers

LA - Labor Arbitration and Dispute Settlements (Pub. by BNA)

LIU - Laborers' International Union

LRR - Labor Relations Reporter (Pub. by BNA)

LRRM - Labor Relations Reporter (Manual of Decisions of Courts, NLRB - Pub. by BNA)

MERC - Michigan Employment Relations Commission

NLRB - National Labor Relations Board

NYSLRB - New York State Labor Relations Board

OCSEA - Ohio Civil Service Employees Association

OPEIU - Office and Professional Employees International Union

PEAK - Public Employees Association of Kansas

PERA - Public Employment Relations Act of Pennsylvania

PERB - Public Employees' Relations Boards

PLRB - Pennsylvania Labor Relations Board

RWDSU - Retail, Wholesale, & Department Store Union

SEIU - Service Employees International Union

SLRB - State Labor Relations Board of N.Y.

UFCT - United Federation of College Teachers

WH Cases - Wages and Hours Cases (Pub. by BNA)

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Higher Education Daily, May 1, 1973 thru December, 1973.

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